

**LIBRARY**

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, CALCUTTA BENCH, CALCUTTA

O. A. No. 350/1505 of 2018  
MIA/350/738/2018  
IN THE MATTER OF:

1. **KOUSHIK DAS**, son of Shri S.R. Das, aged about 42 years, residing at 74/B/1A, Rahim Ostagar Lane, Lake Gardens, Kolkata-700045 and working to the post of Laboratory Assistant in the office of Central Forensic Science Laboratory, Directorate of Forensic Science, Ministry of Home Affairs, Government of India, 30, Gorachand Road, Kolkata-700014.
  
2. **SANDIP PATRA**, son of Shri Anil Chandra Patra, aged about 46 years, residing at CPWD Quarter No. 09, EB Block, Labony, Salt Lake, Kolkata-700064 and working to the post of Laboratory Assistant in the office of Central Forensic Science Laboratory, Directorate of Forensic Science, Ministry of Home Affairs, Government of India, 30, Gorachand Road, Kolkata-700014

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3. **ARBIND KUMAR SINHA**, son of Shri G.S.P. Sinha, residing at 35/1, Dr. K.D. Mukherjee Road, Behala, Kolkata- 700060 and working to the post of Laboratory Assistant in the office of Central Forensic Science Laboratory, Directorate of Forensic Science, Ministry of Home Affairs, Government of India, 30, Gorachand Road, Kolkata- 700014.

4. **DEBASISH BHATTACHARJEE**, son of Shri Amal Kanti Bhattacharjee, residing at 20/49/1-D, Biplabi Barin Ghosh Sarani, Kolkata- 700067 and working to the post of Laboratory Assistant in the office of Central Forensic Science Laboratory, Directorate of Forensic Science, Ministry of Home Affairs, Government of India, 30, Gorachand Road, Kolkata- 700014.

...Applicants

-VERSUS-

1. **UNION OF INDIA**, service through the Secretary, Government of India, Ministry of Home Affairs, CGO Complex, Lodhi Road, New Delhi- 110003.

*Wd*

2. THE CHIEF FORENSIC SCIENTIST,

Government of India, Ministry of Home  
Affairs, Directorate of Forensic Science,  
Block No. 9, 8<sup>th</sup> Floor, CGO Complex,  
Lodhi Road, New Delhi- 110003.

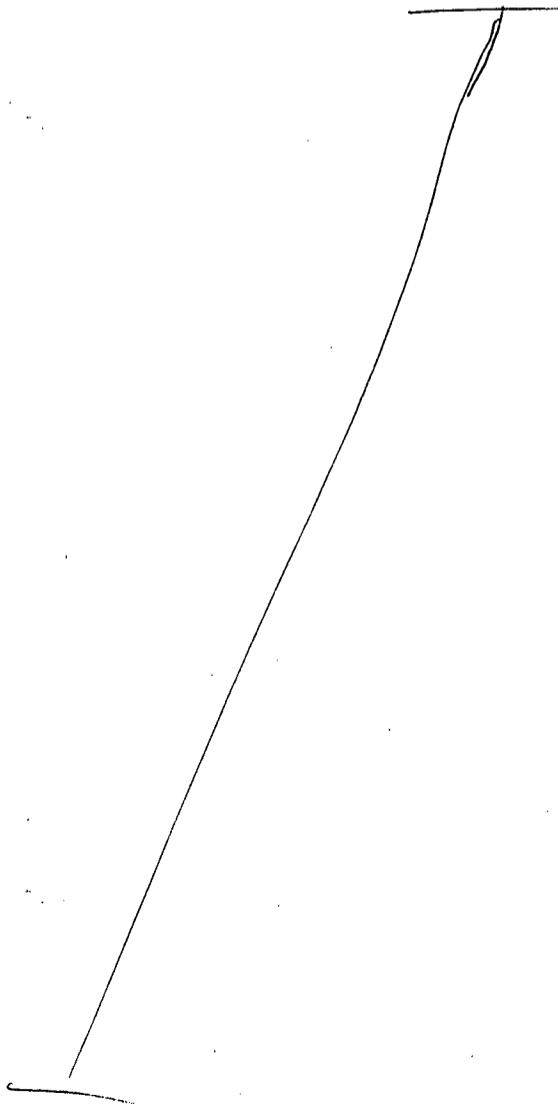
3. THE DIRECTOR, Central Forensic

Science Laboratory, Kolkata, Directorate  
of Forensic Science, Ministry of Home  
Affairs, Government of India. 30  
Gorachand Road, Kolkata-700014.

4. *Chairman, Staff Selection Commission  
C.G.O. Complex, New Delhi - 110003.*

... Respondents.

*WAL*



CENTRAL ADMINISTRATIVE TRIBUNAL  
KOLKATA BENCH

O.A/350/1505/2018  
M.A/350/738/2018

Date of Order: 09.10.2018

Coram: Hon'ble Mr. A.K Patnaik, Judicial Member

For the Applicant(s): Mr. P.C Das, Counsel  
Ms. T. Maity, Counsel

For the Respondent(s): Ms. P. Goswami, Counsel

ORDER (ORAL)

A.K Patnaik, Member (J):

Heard Ld. Counsel for both the parties in extenso.

2. M.A. No. 738/2018 filed for joint prosecution of this case is allowed and disposed of accordingly.

3. This O.A. has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 against the following orders:

a) The impugned Advertisement being No. 15/7/2017-RHQ dated 30.09.2018 issued by the Staff Selection Commission in their official website on 5/9/18 for the post of Senior Scientific Assistant which is merged on the basis of the Old Recruitment Rules and the proposal of amendment of such Recruitment Rules is already pending before the Secretary, Ministry of Home Affairs being Annexure A-18 of this original application.

b) Non-consideration of the representation submitted by the applicant dated 30.09.2018.

c) The action and/or inaction on the part of the official respondents for sending the requisition for filling up of vacancies to the post of the Senior Scientific Assistant which has been merged in the year 2016 and already there is a proposal for amendment of Recruitment Rules for finalization is pending before the Secretary, Ministry of Home Affairs and the post is merged and filling up of the vacancies

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to the post of Senior Scientific Assistant is otherwise bad in law and illegal.

4. Ld. Counsel for the applicants submitted that ventilating their grievances the applicants have preferred individual representations on 13.09.2018 under Annexure-A/19 before Respondent No.2 but nothing has been communicated to them till date.

5. Having heard Ld. Counsel for the parties, without going into the merit of the matter, I dispose of this O.A. by directing the Respondent No. 2 to consider the representations of the applicants, if the same have been filed and are pending before him for consideration, and pass a reasoned and speaking order as per rules and regulations within a period of six weeks from the date of receipt of copy of this order. I make it clear that if after such consideration the applicants are found to be otherwise eligible for promotion then expeditious steps be taken within a further period of six weeks to grant them such benefit. I also make it clear that till their representations are considered and result communicated to the applicants, no further action in pursuance of the Advertisement No. 15/7/2017-RHQ dated 30.09.2018 (Annexure-A/18) will be initiated by the Respondents. I make it clear that if in the meantime representations have already been disposed of then result thereof be communicated to the applicants within two weeks.

6. With the aforesaid observation and direction, this O.A. stands disposed of. No costs.

7. As prayed for by the Ld. Counsel for the applicant, copy of this order, along with paperbook be transmitted to Respondent Nos. 2, 3 and 4 for which, he undertakes to deposit the cost with the Registry within a week.

8. Copies of this order be handed over to the Ld. Counsel for both the parties.

(A.K.Patnaik)  
Member(J)