

**CENTRAL ADMINISTRATIVE TRIBUNAL,  
MUMBAI BENCH, MUMBAI.**

**ORIGINAL APPLICATION NO. 8 OF 2018**

**Date Of Decision:- 18<sup>th</sup> February, 2019**

***CORAM: DR. BHAGWAN SAHAI, MEMBER (A).  
RAVINDER KAUR, MEMBER (J).***

***Mr. Prashant Mohan Magade***

Age 31 years, Occupation: DEO under  
M/s. Pride Enterprises in NCL  
R/at: G-40, NCL Colony, Near SBI Bank,  
Pashan Road, Pune 411008.

***...Applicant***

V/s.

***1. National Chemical Laboratory***

A Constituent Laboratory of council of Scientific  
and Industrial Research (CSIR)  
Having its Office at: Dr. Homi Bhabha Road,  
Pashan, Pune 411008.

***2. Union of India***

Ministry of Science and Technology  
Having office at: Technology Bhavan,  
New Mehrauli Road, New Delhi 110016.

***3. Ujagare Sunny Babaji***

Age 23 years, Occ: Service,  
Working at National chemical Laboratory  
Stores and Purchases Division  
Dr. Homi Bhabha Road,  
Pashan, Pune 411008.

***4. Prajakta Suresh Patil***

Age 23 years, Occ: Service,  
Working at National Chemical Laboratory  
Finance and Account Division  
Dr. Homi Bhabha Road,  
Pashan, Pune 411008.

***...Respondents***

***(Respondents by Advocate Shri. K.P. Anil Kumar)***



**ORDER (ORAL)**  
**PER: RAVINDER KAUR, MEMBER (J)**

This OA was filed on 21.12.2017 by the applicant under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:

*"8(a) That this Hon'ble Tribunal direct the Respondent No.1 to instate the applicant at the post code Assistant (Store & Purchase) Gr.III Group 'C', as he is the only eligible candidate as per reservation policy from the date on which first recruited candidate joined he respective post and also be directed to give all benefits like pay, allowances from the date on which first recruited candidate joined the respective post;*

*(b) That this Hon'ble Tribunal direct the Respondent No.1 to count the probation period of the applicant from the date on which first recruited candidate joined the respective post and also considers the seniority of the applicant from the date on which the first recruited candidate joined the respective post;*

*(c) That this Hon'ble Tribunal direct the Respondent No.1 to issue Stay order on the wrongful appointment of Sunny Babaji Ujagare and Prajakta Suresh Patil and other waiting list candidate having roll number 10827 for the post code Assistant (Store & Purchase) Gr. III Group-'C';*

*(d) That this Hon'ble Tribunal direct the Respondent No.1 that no one from the newly joined candidates will*



*be issued confirmation order before a decision is taken on this case;*

*(e) That this Hon'ble Tribunal direct the Respondent No.1 to quash all other wrongful appointments which were given by adopting this erroneous method.*

*(f) Ad-interim relief in terms of prayer Clause (a) to (d) above may kindly be granted.*

*(g) Any other and further Orders as this Hon'ble Tribunal deems fit in the nature and circumstances of the case be passed."*

2. Today, when the case was called for hearing at 11:30 am none appeared for applicant. The matter was passed over by 1:20 pm. On second call also neither the applicant nor his learned counsel are present.

3. The case cannot proceed further in the absence of the applicant and his learned counsel. It appears that the applicant and his Advocate both are not interested to proceed with the matter. The OA is thus dismissed in default as well as for non prosecution. No order as to cost.

*(Ravinder Kaur)*  
*Member (J)*

*(Dr. Bhagwan Sahai)*  
*Member (A)*

srp

