

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA

No. O.A. 351/01544/2018

Date of order: 31.1.2019

Present : Hon'ble Ms. Bidisha Banerjee, Judicial Member
 Hon'ble Dr. Nandita Chatterjee, Administrative Member

Dr. Rachna Kumari,
 Wife Shri Sanjeev Lal,
 R/o. Haddo, Port Blair,
 Working as Medical officer
 Under Directorate of Health Service,
 Andaman & Nicobar Administration,
 Port Blair, PIN – 744 103.

.... Applicant.

-Versus-

1. Union of India,
 Service through the Secretary,
 Ministry of Home Affairs,
 North Block, UT Division
 Central Secretariat,
 New Delhi – 110 001
2. Union of India,
 Service through the Secretary,
 Ministry of Health and Family Welfare,
 Nirman Bhawan,
 New Delhi – 110 001.
3. Union Public Service Commission,
 Service through the Secretary,
 UPSC, Dholpur House,
 Sahajahanpur Road,
 New Delhi – 110 069.
4. The LT. Governor (Administrator),
 Raj Niwas,
 Andaman & Nicobar Islands,
 Port Blair – 744 101.
5. The Chief Secretary,
 Andaman & Nicobar Administration,
 Secretariat Building,
 Port Blair – 744 101.
6. The Principal Secretary (Health),
 Andaman & Nicobar Administration,

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Secretariat Building,
Port Blair – 744 101.

7. The Director of Health Services,
Andaman & Nicobar Administration,
Port Blair – 744 101.

.....Respondents.

For the Applicant : Mr. Moniruzzaman, Counsel
Mr. D. Saha, Counsel

For the Respondents : Mr. R. Halder, Counsel
Mr. A.K. Chattopadhyay, Counsel

O.R.D.E.R.(Oral)

Per Dr. Nandita Chatterjee, Administrative Member

The applicant has approached the tribunal in the third stage litigation praying for regularization in the light of the judgment delivered in Secretary, State of Karnataka v. Uma Devi & ors. (2006) 4 SCC 1 by the Hon'ble Apex Court.

2. Heard Ld. Counsel for both sides and examined documents on record. The matter is taken up at the admission stage.

3. It is seen from Annexure A-20 to the O.A. that the respondent authorities, namely, A&N Administration, had referred the matter of the applicant to the respondent No. 3, namely, UPSC, vide their memo dated 17.5.2018 and that, although the decision of the UPSC was sought by an early date, no such reply has been received from UPSC.

4. Hence, with the consent of the parties and, without entering into the merits of the matter, we would direct respondent No. 3 namely, UPSC, to issue a reply to the reference dated 17.5.2018 of the A&N Administration within a period of four weeks from the date of receipt of a copy of this order and would further direct respondent No. 6, who is the Principal Secretary (Health), Andaman &

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Nicobar Administration to decide on the matter of the applicant in the light of the decision of the respondent No. 3, namely, UPSC, within a further period of four weeks thereafter.

5. With these directions, the O.A. is disposed of. No costs.

(Dr. Nandita Chatterjee)
Administrative Member

(Bidisha Banerjee)
Judicial Member

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