

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...
ORIGINAL APPLICATION NO.061/00673/2019
Chandigarh, this the 05th day of July, 2019

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CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)

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Sushil Pandey, son of late Kamta Pandey, aged 24 years, Resident of Bhojpur Colony, Chas, Near Gandh Chowk, P.O.+ P.S. Chas, District Bokaro (Bihar)- 827013 (Group C)

....Applicant

(Present: Mr. Satish Mishra, Advocate)

Versus

1. Union of India through Director General E-in-Cs Branch, HQ of Ministry of Defence (Army), South Block, New Delhi - 110001.
2. Chief Engineer, Headquarter, Northern Command, Akhnoor, J & K - 914698.
3. Garrison Engineer, Headquarter, Northern Command, Akhnoor, J & K - 914698.
4. Commands Works Engineer, Headquarter 135, Northern Command, Akhnoor, J & K. Pin 914698.

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Respondents

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J)

1. Heard.
2. Learned counsel submitted that the applicant applied for the post of Mate (Fitter General Mechanic) pursuant to an advertisement dated 09.12.2015 whereby the respondents notified 43 vacancies. Upon declaration of result, the applicant was placed at 2nd position in reserve panel. He averred that against 43 vacancies only 41 persons have joined and two posts are still lying vacant and the applicant being at No. 2 in the reserve panel is

entitled to offer of appointment. He submitted that despite many requests and application under RTI Act, the applicant has not been informed as to whether two vacant posts are of the same trade for which the applicant had applied.

3. Applicant is before this Court for issuance of a direction to the respondents to consider his claim against the two vacant posts, if these belong to the category of the Mate (FGM).

4. Considering the fact that before approaching this Court, the applicant has not preferred any representation/legal notice to the respondents, we are not inclined to entertain this O.A., at this stage. However, in the interest of justice, I deem it appropriate to dispose of this O.A., in limine, with a direction to the respondents that if any representation is filed by the applicant within seven days seeking redressal of his grievance, the same be considered and decided, by passing a reasoned and speaking order, within a period of four weeks thereafter, in accordance with law. A copy of the order so passed be communicated to the applicant as well.

5. Needless to mention that the disposal of the O.A. shall not be construed as an expression of any opinion on the merit of the case. No costs.

(SANJEEV KAUSHIK)
MEMBER (J)
Dated: 05.07.2019

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