

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH
KOLKATA

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OA. 351/906/2019
MA. 351/489/2019

Date of order: 09.07.2019

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

1. Shri Bharat Kirtania, S/o Sudhir Kirtania, R/o Collinpur, under Ferrargunj Tehsil, District of South Andaman- 744109..
2. Shri Anand Kr. Vijayan, S/o Vijayan, R/o Dignabad, under Port Blair Tehsil, District of South Andaman- 744101.
3. Shri Ganesh Kumar, S/o Late N.S. Rajendran, R/o New Pahargaon, Under Port Blair Tehsil, District of South Andaman- 7441053.
4. Miss Sharoon Sultana, D/o Abdul Kalam, R/o Lillypur, Haddo, under Port Blair Tehsil, District of South Andaman- 744101.
5. Shri Pramod Kujur, S/o late Kaila Kujur, R/o Duke Nagar, Billiground, Middle & North Andaman- 744201.
6. Smti Shabnam Parveen, W/o Shri Mohammed Yousuf, R/o haddo, Under Port Blair Tehsil, District of South Andaman- 744101.
7. Miss V. Malarvezi, D/o S. Veerappan, R/o Satellite Colony, Campbell Bay, District of Nicobar- 744302.
8. Miss Sushma Kujur, D/o Filmon Kujur, Near Andaman Police Station, Little Andaman, Hut Bay, District of South Andaman- 744207.
9. Shri P.P. Umer Farooque, S/o P.P. Mohammed Hánifa, R/o Prem Nagar , under Port Blair Tehsil, District of South Andaman- 744102.

10. Miss K. Kavitha, D/o K. Satyanarayan,
R/o Farm Tikrey, Near Kalinagar Police
Station, District of South Andaman- 744207.

.....Applicants.

-versus-

1. The Union of India, (Service through Secretary, Govt. of India, Ministry of Health & Family Welfare), New Delhi- 110011.
2. The Lieutenant Governor, Andaman & Nicobar Islands, Raj Niwas, Port Blair, Pin- 744101.
3. The Chief Secretary, Secretariat, Andaman & Nicobar Administration, Port Blair, Pin- 744101.
4. The Secretary (Health) Andaman & Nicobar Administration, Port Blair, Pin- 744101.
5. The Director, Directorate of Health Services, Port Blair, Pin- 744101.
6. The Assistant Secretary (Health) Andaman & Nicobar Administration, Port Blair, Pin- 744101.

.....Respondents.

For the Applicant	: Mr. P. C. Das, Counsel Ms. T. Maity, Counsel
For the Respondents	: Mr. R. Halder, Counsel

O R D E R (Oral)

Per Ms. Bidisha Banerjee, JM:

MA. 351/489/2019 filed by the applicants, for joint prosecution is allowed.

2. This application has been filed in order to seek the following relief:

"8(a) An order setting aside the impugned revised vacancy notice for the post of Junior Radiographer-cum-Receptionist.

(b) An order/orders directing the respondent authorities to recruit in terms of vacancy notice dated 29.12.2015 for the post of Junior Radiographer-cum-Receptionist and also with regard to list of eligible candidates for the said post published on 23.02.2018."

3. Heard ld. Counsel for the parties.
4. The applicants had qualified and were found eligible to be appointed as Radiographer-cum-Receptionist and were enlisted as such vide notification dated 23.02.2018 as contained in Annexure A-2 of the OA. They apprehend that in terms of the revised notification dated 21.06.2019, they would become ineligible as they have already crossed the maximum age limit prescribed in the subsequent notification.
5. Ld. Counsel for respondents submits that the apprehension is baseless as in view of the stipulation of new notification which says as under:

"The candidates who have already applied in terms of previous vacancy notices need not submit applications again."

In terms whereof all the applicants and candidates who had applied in terms of the previous vacancy notified are not required to submit any application. Therefore, ld. Counsel assures that the present applicants would be considered along with others in terms of the revised vacancy notice dated 21.06.2019 and they need not apply afresh for that.

6. Since nothing remains to be adjudicated, the OA is disposed of without any further order. We hope and trust that the respondents would stand by their assurance and consider the present applicants against revised vacancy notice despite the fact that they have already crossed the maximum age limit.

Applicants shall bear their individual court fees.

(Dr. Nandita Chatterjee)
Member (A)

(Bidisha Banerjee)
Member (J)

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