

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH
KOLKATA



OA. 351/994/2019

Date of order: 19.07.2019

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

Smti. U. Sumathi Bai,
w/o Shri Trimurthy
R/o Dairy Farm Village
Port Blair, South Andaman
Working as Daily Rated Mazdoor
Port Blair North Division, APWD
Port Blair – 744101.

--Applicant

-VS-

1. The Union of India
Service through the Secretary
Ministry of Road Transport & Highway
Department of Public Works
New Delhi – 110001.
2. The Lieutenant Governor
Andaman & Nicobar Islands
Raj Niwas, Port Blair, 744101.
3. The Commissioner-cum-Secretary (APWD)
A&N Administration
Secretariat, Port Blair – Andaman, 744101.
4. The Chief Engineer,
Andaman Public Works Department,
A&N Islands, Port Blair – 744101.

--Respondents

For the Applicant : Mr. B.K. Das, Counsel

For the Respondents : Mr. R. Halder, Counsel

ORDER (Oral)

Per Ms. Bidisha Banerjee, JM:

Heard Id. Counsel for both sides.

2. The applicant has challenged the speaking order dated 11.07.2019 which says that the applicant once ~~had~~ ^{had} availed the benefits of age relaxation in 2010 selection and therefore she cannot be permitted to avail the same again and again. Therefore, the applicant apprehends that she would not be permitted to appear in the examination in terms of the press notice dated 27.06.2019 for the post of Junior Engineer (Civil).

3. Ld. Counsel for respondents admits that in the year of 2010 no age relaxation was required for her and unfortunately weightage due to her of 20% of the marks of 34 was not allowed to her and therefore she was not considered for appointment against the post of Junior Engineer (Civil).

Ld. Counsel for respondents also agreed that the applicant shall be allowed to avail the age relaxation as well as weightage of 20%, to appear and to be considered against the Vacancy advertised vide press notice dated 27.06.2019 for which the examination scheduled to be held on 21.07.2019.

Ld. Counsel for respondents further points out that an OA preferred by the applicant in 2016 being OA. No. 117/2016, challenging the earlier action of the respondents in not allowing her due weightage of 20% for the earlier examination in 2010, is under challenge and the same to be disposed of along with the present OA.

4. Accordingly, we treat the said OA in the day's list and dispose of it without any further direction.

5. However, in regard to the present OA, we permit the applicant to appear at the examination, which is scheduled to be held on 21.07.2019 and direct the authorities to consider her case in accordance with law granting her due age relaxation as well as due weightage of 20%.

6. Applicant is at liberty to communicate the gist of the order since Id. Counsel for respondents is present and he is directed to inform the department so that the applicant is permitted to sit for the examination on 21.07.2019.

Accordingly, both the OAs stand disposed of. No costs.

(Dr. Nandita Chatterjee)
Member (A)

(Bidisha Banerjee)
Member (J)

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