

(2020) 08 CAT CK 0006

In the Central Administrative Tribunal

Case No : Original Application No. 100, 980 Of 2020

Ajay Kumar

APPELLANT

Vs

Govt. Of India & Others

RESPONDENT

Date of Decision : 04-08-2020

Acts Referred:

Administrative Tribunals Act, 1985 — Section 19

Citation : (2020) 08 CAT CK 0006

Hon'ble Judges : R.N. Singh, Member (J); Aradhana Johri, Member (A)

Bench : Division Bench

Advocate : Rashmi Chopra, Esha Mazumdar

Final Decision : Disposed Of

Judgement

R.N. Singh, Member (J)

1. Present Original Application under Section 19 of the Administrative Tribunals Act, 1985 has been filed by the applicant seeking the following reliefs:-

"(i) Direct the Respondent - DSSSB to accept the dossier of the Applicant to the post of Radio Telephone Operator for Delhi Fire Department (Post-Code-72/14) as valid being within time.

(ii) Process the e-dossier of the Applicant as a selected candidate in accordance with merit and further refer it to the Delhi Fire Department for appointment as per seniority.

(iii) To allow the O.A with cost.

(iv) Pass any other orders may also be passed as this Hon'ble Tribunal may deem fit and proper in the existing facts and circumstances of the case."

2. Learned counsel for the applicant submits that the applicant was selected as a regular Telephone Operator (Post Code No.72/14) in the OBC category on successfully clearing the selection process. She further adds that the applicant

has scored 112.75 marks, i.e., highest in all the categories, i.e., unreserved, OBC, SC and ST.

3. The meritorious candidates were directed to upload e-dossiers from 17.3.2020 to 31.3.2020. However, in view of COVID-19 pandemic and lockdown on account thereof and as he was also not having the facility of computer at his residence, he could not upload his e-dossiers.

4. She further adds that immediately after reopening of lockdown, the applicant uploaded e-dossiers and the he also visited the offices of the respondents to submit hard copy of his dossiers.

5. Learned counsel for the applicant also submits that the applicant has been informed by the respondents that extension of time for uploading the e-dossiers has not been passed and therefore, they are not likely to consider the request of the applicant. The applicant is stated to have made representation before the respondents for redressal of his grievance vide representation dated 6.4.2020 which is followed by other reminders/representations (Annexure A/7)

6. Issue notice.

7. Ms. Sarvana Vasanta, learned counsel appearing for Ms. Esha Mazumdar, learned standing counsel for the respondents, accepts notice.

8. At this stage, Ms. Rashmi Chopra, learned counsel for the applicant, submits that the applicant shall be satisfied, if the present OA is disposed of at this stage with direction to the respondents to consider the aforesaid representation dated 6.4.2020 (Annexure A/7) and to dispose of the same by passing a reasoned and speaking order within a reasonable time.

9. We have considered the submissions made by learned counsel for the parties.

10. In the facts and circumstances of the present case, we are of the considered view that if such a request of the learned counsel for the applicant is accepted, no prejudice is likely to be caused to the respondents.

11. In the aforesaid facts and circumstances, without going into the merits of the claim of the applicant, the present OA is disposed of with direction to the respondents to consider the aforesaid representations of the applicant and to dispose of the same by passing a reasoned and speaking order as expeditiously as possible and in any case within four weeks of receipt of a copy of this Order.

12. The OA is disposed of in the aforesaid terms. However, in the facts and circumstances, no order as to costs.