

09.10.2020
ASR

WPCT 44 of 2020
With
CAN 1 of 2020

Kanchan Sarkar
Versus
Union of India

Mr. Amales Ray
Mr. Mausumi Bhowal
Mr. Ashis Kumar Chowdhury
....for the Petitioner
Mr. Arijit ghosh
....for the respondent

We do not know why this writ application has been preferred challenging the order of the Central Administration Tribunal, Kolkata Bench dated 3rd July, 2020.

The material part of the said order is as follows :

“In view of the above, we are of the considered opinion that no prejudice shall be caused to either of the sides if this O.A is disposed of with a direction to the applicant to make a fresh comprehensive representation before the competent authority before two weeks indicating her choice of places where the vacancies are available and/she can be posted along with her husband. According, the competent authority is directed to consider such representation within two weeks from the date of receipt of the same.”

The petitioner acted in terms of the said order by making a representation on 27th July, 2020.

On 7th August, 2020 (page 105 of the petition) the respondent stated that there was no vacancy in the three “choices” made by her. She was given an opportunity to chose one of the ten postings mentioned in the memorandum.

The respondent has acted in a most reasonable manner. The petitioner should have exercised her choice instead of challenging the order of the tribunal, which he has accepted.

We direct that the petitioner shall exercise her choice according to the respondent’s memorandum dated 7th August, 2020 within ten days from date and the respondent will signify its decision within three weeks thereafter.

The application (WP.CT 44 of 2020) and the connected application (CAN 1 of 2020) are disposed of in terms of this order.

(I. P. Mukerji,J.)

(Md. Nizamuddin,J)