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There has been no dispute that self same subject matter involving in Ranchi Association, Port Blair for extension of the benefits provided notified STs of the A&N Islands to them being ST of another State. Since intimated by Ld. Advocate, Court complex, Port Blair, High Court at Calcutta involving Union of India, Service through Secretary, MHA, New Delhi and the Lt. Governor, A&N Islands, Raj Niwas, Port Blair that the subject matter is subjudice before the Hon'ble High Court of Calcutta, Circuit Bench at Port Blair, it would be unsafe for the Administration to accommodate the prayer of Ranchi Association at this stage. That apart, the request for inclusion in the list of notified STs of the A&N Islands is not, however, covered with the meaning and scope of the judgment dated 11.2.2005 of the Hon'ble Supreme Court.

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It may not be out of place to mention that every case has its own factual points. The points referred by the Ranchi Association in enabling them to have the benefits as preferred in the WP 2005 ( Ranchi Association, Port Blair - Vs- UOI & Ors) cannot be extended during the pendency of WP before Hon'ble High Court Circuit Bench at Port Blair. Department concerned would be at liberty to take appropriate steps in the matter of WP involving A&N Administration also.

P. G. Dutta  
(PG Dutta)  
Secretary (Law)

No. 1542/DW  
Date: 01/12/05  
Per: Cell of Secy (TW)

Spl. Secy (TW)

Further action may be taken now lot.  
30/11/05

Dix (TW)

Pranav  
1.12.2005

RO (TW) 2/12/05

Ref

St. 12/12