

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
Original Application No. 040/00036/2020
Date of Decision: 06.02.2020

THE HON'BLE MRS. MANJULA DAS, JUDICIAL MEMBER
THE HON'BLE MR. N. NEHSIAL, ADMINISTRATIVE MEMBER



1. Kumar Nishugyan, aged about 31 years, S/o- Shri Bechu Mandal, R/o : C-33/265, 13A, Chandua Chhitarpur, Varanasi, UP, Contact No. 9506359370, [Aspirant for the post of Extension Educator, GP-B, in Indian Railway, Roll No, 202905235090078]
2. Km. Deepa Srivastav, aged about 23 years, D/O- Mr. Bharat Lal Srivastav, R/O: S-21/21, A.K.H Ruppapur, Durga Nagar, Panchkoshi, Sarnath, Varanasi, Uttar Pradesh [Aspirant for the post of Extension Educator, GP-B, In Indian Railway, Roll No. 202905235090259]
3. Hajari Lal, aged about 37 years, S/O- Shri Ramesh Chand, R/O: Mehta patti Bhusawar, Tehsil Bhusawar Distt- Bharatpur State(Raj) P.O.- 321406 [Aspirant for the post of Extension Educator, GP-B, In Indian Railway, Roll No. 202905182090010]
4. Sateesha, aged about 32 years, S/O- Shri Puttashetty, R/O: Putta Shetti Maragowdanahalli village Thondalu post, Gavadagere

Hobali Hunasuru Taluka,
Gavadagere, Mysore,
Karnataka, Pin code- 571610
[Aspirant for the post of
Extension Educator, GP-B, In
Indian Railway, Roll No.
202905286090026]

....Applicants

By advocate(s): Sri A. Kumar, Sri D. Saud &
Sri M.P. Sharma

-VERSUS-



Ministry of Railway & Others, through;

1. The Secretary,
Ministry of Railway, Govt. of India,
Rail Bhawan, New Delhi-110001.
2. The Secretary,
Railway Recruitment Board,
Guwahati, Station Road, Panbazar,
Guwahati, Station Road, Panbazar,
Guwahati – 781001, Assam.

....Respondents

By advocate: Ms U. Das, Rly. SC

ORDER (ORAL)

MANJULA DAS, JUDICIAL MEMBER:

This O.A. has been filed by the applicant under section
19 of the Administrative Tribunal Act, 1985 with the following
reliefs:

"8.1 The applicants may be allowed to join together in one O.A.

8.2 To set aside and quash the impugned Final Result (Annexure A/1) qua the applicants by directing the respondents to appoint the applicants to the post of Extension Educator with all the consequential benefits including fixation of pay and seniority on the basis of the merit position of the applicants from the same date from which other aspirants of the CEN No.02/2019 have been granted."

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8.3 Cost of the application.

8.4 Any other relief/reliefs to which the applicants are entitled to under the facts and circumstances of the case and as may be deemed fit and proper by this Hon'ble Tribunal upon consideration of the matter."



2. As the reliefs sought for by the applicants under the same respondents are common, hence prayer to move the instant application jointly in a single application under Section 4(5)(a) of the Central Administrative Tribunal (Procedure) Rules, 1987 is allowed.

3. At the outset of the arguments, Sri M.P. Sharma, learned counsel for the applicants submitted that the applicants did not approached before the authority before filing of this O.A. as there is some urgency and accordingly, he asked for the interim relief for keeping vacant four post of Extension Educator.

4. It is further submitted that the applicants though have the requisite qualification for being appointed to the post of Extension Educator in pursuance of the advertisement dated 01.10.2019, the applicants' case was not considered by declaring that they are not eligible.

5. According to learned counsel for the applicants, all the four applicants are having their requisite qualification and their rejection is found not eligible is not based on the record. In view of that the case of the applicants need to be considered.



6. On the other hand, Ms U. Das, learned Rly. SC submitted that the applicants did not exhaust the alternative remedies.

7. In view of the above submission made by the learned counsel for the parties, without going into the merit of the case as well as without issuing notice to the respondents we direct the applicants to make comprehensive representation before the appropriate authority in terms of exhausting the alternative remedies as prescribed in the CAT procedure rules within one week from the date of receipt copy of this order. On receipt of such

representation, the appropriate authority, before the whom the comprehensive representation is proposed to be filed, shall consider and dispose of the same by passing a reasoned and speaking order within a period of one month thereafter.

8. It is made clear that whatever decision to be arrived by the respondent No. 2 shall be communicated to the applicants forthwith.



9. With the above direction, O.A. stands disposed of accordingly at the admission stage. No order as to costs.

(N. NEHSIAL)
MEMBER (A)

(MANJULA DAS)
MEMBER (J)

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