

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

O.A.NO.2862/2001

Thursday, this the 18th day of October, 2001

Hon'ble Shri Justice Ashok Agarwal, Chairman  
Hon'ble Shri S.A.T. Rizvi, Member (A)

1. Smt. Tara Wati  
w/o Shri A.K.Singh  
Sr. T.E. Northern Railway,  
Rly. Station, Delhi
2. C.D.Sharma, S/O Shri Bharat Sharma  
TTE, N.Rly., New Delhi
3. Charan Singh s/o Shri Rati Ram  
TTE, N.Rly. Nizammuddin
4. Smt. Pushpa Verma  
w/o Shri Ram Swaroop  
TTE, N.Rly., Delhi
5. Jai Singh s/o Shri Roshan Singh  
TTE, N.Rly., Delhi
6. Subhash Chand s/o Shri Ramanand  
TTE, N.Rly., Delhi
7. Smt. Kamlesh Jagi  
w/o Shri Omparkash  
TTE, N.Rly., Delhi
8. Ashok Kumar s/o Shri Shiv Kumar  
TTE, N.Rly., New Delhi
9. Rajbir Singh s/o Shri R.Singh  
TTE, N.Rly., New Delhi
10. Rajbir Singh s/o Shri Tej Ram  
TTE, N.Rly. Ghaziabad.
11. Baldev Singh s/o Shri Raghbir Singh  
TTE, N.Rly., Delhi
12. Rajinder Prashad Sharma  
s/o Shri Parasram Sharma  
TTE, N.Rly., Delhi
13. Bharat Lal s/o Shri Chandu Ram  
TTE, N.Rly., Delhi
14. Jaivir Singh, s/o Shri Parsadi Singh  
TTE, N.Rly., Delhi
15. Omvir Singh s/o Shri Mamchand  
TTE, N.Rly., Delhi
16. Ramjeet Singh s/o Shri Mange Ram  
TTE N.Rly., New Delhi
17. Harvinder Pal Singh s/o Shri Jasbir Singh  
TTE N.Rly., New Delhi

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18. Omparkash s/o Shri Fateh Chand  
TTE N.Rly., New Delhi
19. Krishanpal Singh  
s/o Shri T.R.Yadav  
TTE N.Rly., New Delhi
20. Satish Chand s/o Shri Nanak Chand  
TTE N.Rly., Ghaziabad.
21. Pyare Lal s/o Shri Bua Dass  
Sr. T.C. N.Rly. Delhi
22. R.K. Singh s/o Shri Omkar Singh Tyagi  
TTE, N.Rly. Ghaziabad.
23. Subhash Kumar Sharma s/o Shri Manu Ram  
TTE, N.Rly. Ghaziabad.
24. B.N.Dey s/o Shri S.R.Dey  
TTE, N.Rly. Ghaziabad
25. Baboo Ram s/o Shri Ram Swaroop  
TTE N.Rly. New Delhi
26. Devender Kumar s/o Shri Sunder Dass  
TTE N.Rly., Delhi
27. Ajay Kumar Yadav s/o Shri R.S.Yadav  
TTE N.Rly., New Delhi
28. Shri Giriraj Meena s/o Shri M.L. Meena  
Sr.T.C. N.Rly. Delhi.
29. Yogender Rana s/o Shri Ashar Ram  
TTE N.Rly., New Delhi
30. Ramkishan Goswami s/o Shri Nanak Chand  
TTE N.Rly., Delhi

...Applicants

(By Advocate: Shri B.S.Mainee)

Versus

Union of India through

1. The General Manager, Northern Railway  
Baroda House, New Delhi
2. The Divisional Railway Manager  
Northern Railway, New Delhi

...Respondents

O R D E R (ORAL)

By Hon'ble Shri S.A.T. Rizvi, AM:-

Heard the learned counsel appearing for the  
applicants.

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2. The applicants, 30 in number, appeared in the written test held by the respondent-authority for promotion to the post of Head Ticket Collector. All of them qualified in the said test (Annexure A-4). They were to be viva-voce tested thereafter for which a date was also fixed. However, instead of holding the viva-voce test, the respondent-authority has proceeded to cancel the result of the aforesaid written test by letter dated 10.10.2001 (Annexure A-1). No reason has been assigned for cancelling the said test. The aforesaid letter merely provides that while the competent authority has cancelled the selection process, the next date for the written test will be notified soon. The learned counsel appearing on behalf of the applicants submits that the respondent-authority possessed no right to pass such an order without indicating reasons in support of cancellation of the selection process. According to him, all administrative orders ~~2 affecting rights of persons and as~~ passed in any situation must necessarily indicate reasons in support of the orders. In support of this, he relies on C.B. Gautam Versus Union of India, JT 1992 (6) 78 in which the Hon'ble Supreme Court has held as follows:-

"Recording of reasons which lead to the passing of the order is basically intended to serve a two fold purpose-

(1) that the "party aggrieved" in the proceedings before acquires knowledge of the reasons and in a proceeding before the High Court or the Supreme Court (since there is no right of appeal or revision), it has an opportunity to demonstrate that the reasons which persuaded the authority to pass an order adverse to his interest were erroneous, irrational or irrelevant, and

(2) that the obligation to record reasons and convey the same to the party concerned operates as a deterrent against possible arbitrary action by the quasi

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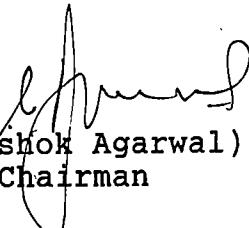
judicial or the executive authority  
invested with judicial powers."

3. We have considered the matter in the light of the aforesaid law laid down by the Supreme Court and the submissions made by the learned counsel for the applicant and find that the interest of justice will be duly met in the present OA by disposing it of at this very stage ~~here~~ even without issuing notices by directing the respondents to indicate reasons in support of cancellation of the selection process as expeditiously as possible and in any event within a period of one month from the date of receipt of a copy of this order. The respondent-authority will communicate the reasons aforesaid to the learned counsel for the applicants who in turn will keep the applicants informed. We further direct the respondent-authority not to hold a fresh written test until the learned counsel for the applicants has been informed as above. We direct accordingly.

4. The present OA is disposed of in the aforesated terms. No costs.

  
(S.A.T.Rizvi)  
Member (A)

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(Ashok Agarwal)  
Chairman