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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 Raghubir 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 *affecting rights of persons and is* 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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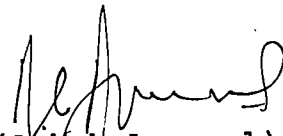
judicial or the executive authority
invested with judicial powers."

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 ~~it is~~ 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 aforestated terms. No costs.


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

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(Ashok Agarwal)
Chairman