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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

OA NO. 745/2001

New Delhi, this the 16th day of October, 2001

HON'BLE SH. KULDIP SINGH, MEMBER (J)
HON'BLE SH. GOVINDAN S. TAMPI, MEMBER (A)

In the matter of :

Sh. Sunil Kumar Malik,
S/o Sh. B.B. Malik,
Working as Wireman,
Northern Railway Station,
Muradabad.

...Applicant

Versus

1. Union of India through
General Manager,
Northern Railway,
Baroda House,
New Delhi.
2. The Chief Electrical Engineer,
Northern Railway Head Quarter Office,
Baroda House,
New Delhi.
3. The Divisional Railway Manager,
Northern Railway Muradabad Division,
Muradabad.

...Respondents

O R D E R (ORAL)

By Sh. Kuldip Singh, Member (J)

Applicant has filed the OA seeking the following
reliefs:

(i) That the Hon'ble Tribunal may graciously be
pleased to pass an order of following the OA of
the applicant with the costs of litigation.

(ii) That the Hon'ble Tribunal may graciously be
pleased to pass an order declaring to the effect
that the action of the respondents calling the
applicant for screening for Group 'D' post is



illegal, unjust and against the rules and consequently the applicant is entitled for his regularisation in group 'C' post.

(iii) That the Hon'ble Tribunal may graciously be pleased to pass an order direct the respondents to regularise the service of the applicant on the post of Wireman from the date of his initial appointment.

(iv) That the Hon'ble Tribunal may further graciously be pleased to pass an order directing the respondents to extend the benefits of the judgment dated 2.1.95 in OA No. 569/94 and the judgment dated 20.12.2000 to the applicant.

(v) Any other relief which the Hon'ble Tribunal deem fit and proper may also be granted to the applicant.

2. The respondents who are contesting the OA have filed the counter but in their counter they have pleaded in page 2 para 5 of the counter affidavit where the respondents have stated

"As directed all the applicants in OA No. 1037/2000 including the applicant (Sh. S.N.Malik) have been called for trade test. In case he clears the trade test, he would

for

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(3)

be considered for regularisation against 25% of promotee quota strictly according to the seniority as per the Recruitment Rules."

3. The applicant request that if he had already qualified the test then the respondents should declare his result.

4. In view of the stand taken by the respondents as stated above, we find that this OA can be disposed of with the direction to the respondents to declare the result of applicant within a period of 3 months and in case the applicant succeeds he be regularised in group 'C' post. OA stands disposed of. No costs.

(GOVINDAN S. TAMPI)
Member (A)

(KULDIP SINGH)
Member (J)

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