

(11)

CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

D.A. No. 2376/95

New Delhi: this the 25<sup>th</sup> November, 1995.

HON'BLE MR. S. R. ADIGE, VICE CHAIRMAN (A)

HON'BLE MRS. LAKSHMI SWAMINATHAN, MEMBER (J)

1. Shyam Swaroop,  
S/o Ram Phal,  
C/o Inspector of Works,  
(Construction),  
Northern Railway,  
Moradabad.

2. Ram Manorath,  
S/o Sita Ram,  
C/o Inspector of Works,  
(Construction),  
Northern Railway,  
Moradabad

.....Applicants.

(By Advocate: Shri Shankar Dixit)

Versus

1. Union of India  
through  
General Manager,  
Northern Railway,  
Rail Bhawan,  
New Delhi.

2. Chief Administrative Officer (Const.),  
Northern Railway,  
Kashmiri Gate,  
New Delhi.

3. Deputy Chief Engineer (Const)  
Northern Railway,  
Moradabad

..... Respondents.

(By Advocate: Shri P. S. Mahendru )

JUDGMENT

BY HON'BLE MR. S. R. ADIGE, VICE CHAIRMAN (A).

Applicants seek a direction to  
respondents to declare the screening of applicants  
held on 29.8.95 as for posts of Class III and to  
declare the results of the said screening as for  
posts of Class III and for fixation of their  
liens and division against Class III posts.

(R)

2. Respondents in para (iii) of their reply state that applicants were screened against Class IV posts as Khalasi and were declared suitable vide letter dated 11.11.95. There is no denial to this statement in any rejoinder filed by applicants.

3. When respondents state that they screened applicants against Class IV posts and have declared the results thereof, which is not rebutted by applicants in any rejoinder, the prayer for declaring the screening/results ~~as~~ <sup>III A</sup> for Class ~~IV~~ posts does not arise.

4.. The OA is dismissed. No costs.

*Lakshmi Swaminathan* *R. Adige*  
( MRS. LAKSHMI SWAMINATHAN ) ( S.R. ADIGE )  
MEMBER (J) VICE CHAIRMAN (A).

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