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CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

O.A.No. 2376/95

New Delhi: this the 25<sup>th</sup> November, 1997.

HON<sup>BLE</sup> MR. S. R. ADIGE, VICE CHAIRMAN (A)

HON<sup>BLE</sup> 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 Diwota)

Verus

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<sup>BLE</sup> 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 lien and division against Class III posts.

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(R)

2. Respondents in para (iii) of their reply state that applicants were screened against Class IV posts as Khallasi 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 for for Class <sup>III</sup> ~~IV~~ posts does not arise.

4.. The OA is dismissed. No costs.

*Lakshmi Swaminathan*  
( MRS. LAKSHMI SWAMINATHAN )  
MEMBER (J)

*S. R. Adige*  
( S. R. ADIGE )  
VICE CHAIRMAN (A).

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