

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

O.A.NO.939/94

New Delhi, this the 25th January, 1995

Hon'ble Shri J.P. Sharma, Member (J)  
Hon'ble Shri S.K. Adige, Member (A)

1. Shri Jagdish Chander Saxeana,  
s/o Shri V.P. Saxena,  
Sr.Clerk, T. Branch,  
DRM Office Moradabad  
R/o H-233-A, Harthala Colony,  
Moradabad.
2. Shri Nasim Ul Islam,Clerk  
s/o F.Islam  
T- Branch,DRM Office,  
Moradabad,  
R/o Mughal Pura-I,  
Moradabad.
3. Shri Narendra Garg,Sr.Clerk  
s/o Shri Satish Chandra Garg,  
Station Superintendent,  
N.R. Laksar  
R/o Q.No. R02A,  
Railway Colony,Laksar.
4. Shri Vipin Sharma,Sr.Clerk,  
s/o Shri S.N. Sharma,  
T. Branch,DRM Office,Moradabad,  
R/o Mohalla Baubatta Ganj,  
Moradabad.

... Applicants

By Advocate: Shri G.D. Bhandari

Vs.

1. Union of India  
through the General Manager,  
Baroda House, New Delhi.
2. The Divisional Railway Manager,  
Northern Railway, Moradabad.

... Respondents

By Advocate: Shri K.K. Patel

OR D E R (C.R.)

Hon'ble Shri J.P. Sharma, Member (J)

There was a selection for the post of Guard 'G'  
in the grade of 1200-2040/- in which the applicants appeared.  
The result of the applicants was withheld. Though the contention  
of the applicants' counsel has been that the applicants have  
qualified the written test. In this application/by the applicants  
jointly on 9.5.1994, the applicants have prayed for the grant

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of the relief that the order of the respondents dated 16th March, 1994 whereby the result of the applicants for the post of Guard-'C' was withheld by keeping the office letter of even number dated 11.2.1994 in abeyance. The letter dated 11.2.1994 is Annexure A-5 where it has been held that the competent authority has decided to permit the Ministerial staff in Grade 950-1500(RPS) and above of Operating Department to apply for the post of Guard Grade Rs. 1200-2040/- against 15% direct recruitment quota if they fulfil the conditions as laid down in the letter referred to above.

2. The applicants have further prayed that the respondents be directed to allow the applicants to appear in the viva-voce test scheduled to be held on 11.5.1994 even on provisional basis. The applicants have also prayed for an interim relief. By the order dated 10.5.1994, it was directed that the respondents shall, in the first instance declare provisionally the result of the applicants in the written test and shall interview such of those applicants who have passed the written test in such supplementary viva-voce, purely on provisional basis. This interim order has continued.

3. The Bench by its order dated 16.1.1995 directed the respondents that the record of the selection of the applicants be filed excluding that of Wasim Ul Islam. In pursuance of that order the learned counsel Shri K.K.Patel has filed a statement before the Bench today showing the marks obtained in the written test by the applicants namely Jagesh Chander Saxena; Wasim Ul Islam, Narendra Garg and Vipin Sharma. Shri Jagesh Chander Saxena, Narendra Garg and Vipin Sharma having ~~been~~ obtained more than 60% marks are stated to have qualified in the said written test.

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4. Shri K.K.Patel appearing for the respondents stated that the applicants who have qualified the written test shall also be interviewed (supplementary) and thereafter the result will be declared.

5. In view of the above facts, the present application has become infructuous. If the applicants are still aggrieved because of any final declaration or result, they are free to assail the grievance by filing a fresh application, if so desired. The application is, therefore, disposed of accordingly with no order as to cost.

*Abhay*  
(S.R.ADIGE)  
MEMBER (A)

*Jomane*  
(J.P.SHAH)  
MEMBER (J)

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