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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI.

OA-2088/2000  
MA-1540/2001

New Delhi this the 11th day of September, 2001.

Hon'ble Sh. S.R. Adige, Vice-Chairman(A)  
Hon'ble Dr. A. Vedavalli, Member(J)

1. Rajeev Kumar  
S/o Sh. Ram Avtar,  
R/o Dilawar Palace  
(Near Saraswati Vihar),  
Rohtak Road,  
Meerut(UP).
2. Rajesh Kumar Singh Gaur,  
S/o Sh. Govind Pratap Singh Gaur,  
R/o 94 B/14, Kala Danda, Himmat Ganj,  
Allahabad(UP).
3. Rajveer,  
S/o Sh. Hari Prasad,  
R/o P-277, Pratap Vihar,  
Sector-12, Ghaziabad(UP).
4. Anil Kumar Srivastava,  
S/o Sh. Lalji Srivastava,  
R/o Sadiapur, Meerapur,  
Allahabad(UP). .... **Applicants**

(through Sh. U. Srivastava, Advocate)

Versus ..

1. Union of India through  
the Secretary,  
Min. of Railway,  
Rail Bhawan,  
New Delhi.
2. The Chairman,  
Railway Recruitment Board,  
2010, Nehru Marg,  
Ajmer (Raj)-305 001.
3. The General Manager(P),  
Northern Railway,  
Baroda House,  
New Delhi.
4. The Chief Personnel Officer,  
Northern Railway,  
Baroda House,  
New Delhi. .... **Respondents**

(through Mrs. Meera Chhibber, Advocate)

ORDER (ORAL)  
Hon'ble Sh. S.R. Adige, Vice-Chairman(A)

Heard both sides.

2. It is not denied that the four applicants in the present OA had applied for posts of ECRC as well as ASM. It is also not denied that they qualified for both categories of posts i.e. ECRC and ASM, and gave their option for appointment as ECRC when ~~officers~~ <sup>options ?</sup> were called for by RRB Ajmer, but because respondents were facing acute shortage of ASMs, they appointed applicants as ASMs.

3. In this connection respondents counsel Mrs. Chhibber states that it is the respondents prerogative to decide which category of posts applicants should be appointed, having regard to rules and respondents <sup>own</sup> requirements.

4. A similar issue happened to be examined by CAT PB in OA-2706/2000 Sh. Sanjeev Kumar Vs. U.O.I. & Ors., in which similar pleas were raised by respondents. The Tribunal in its order dated 11.04.2001 in that OA directed respondents to issue appointment letter to that applicant for the post of ECRC for which he had qualified.

6. We are satisfied that the aforesaid order dated 11.04.2001 is fully applicable to the facts and circumstances of the present case also, and in the light of the reasons contained in that order, this OA is disposed

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of with a direction to respondents to issue appointment letter to the four applicants in the present case for the post of ECRC, subject to ~~formalities~~ <sup>completion of prescribed</sup> within six weeks from the date of receipt of a copy of this order.

No costs.

A. Vedavalli

(Dr. A. Vedavalli)  
Member (J)

*Adige*

(S.R. Adige)  
Vice-Chairman (A)

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