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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA No. 677/2000

New Delhi, this the 6th day of February, 2003

Hon'ble Smt. Lakshmi Swaminathan, Vice-Chairman (J)
Hon'ble Sh. V.K.Majotra, Member (A)

Bhanwar Singh
Head Clerk (G)
N. Railway Head Quarters Office
Baroda House,
New Delhi-110 001.

...Applicant

(By Advocate: Shri Ashish Kalia)

V E R S U S

Union of India & Ors.
(Through

1. The General Manager
N. Railway Baroda House,
New Delhi-110 001.
2. Deputy C.P.O. (By name)
N. Railway, Head Quarters Office
Baroda House,
New Delhi-110 001.
3. Shri Shanker Lal
Supdt. N. Rly, Hqrs. Office
Baroda House,
New Delhi.
4. Shri Rajinder Kumar
Supdt. N. Rly. Hqrs. Office
Baroda House,
New Delhi.

...Respondents

(By Advocate Sh. R.L. Dhawan)

O R D E R (ORAL)

By Hon'ble Smt. Lakshmi Swaminathan, VC (J)

The applicant has impugned the action of the respondents in issuing the office notice dated 16.3.99 by which private respondents 3 and 4 have been appointed as Office Superintendents Grade-II.

2. Admittedly, both the applicant as well as

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(2)

private respondents 3 and 4 belong to the reserved category, i.e., Scheduled Caste. There were three posts of Office Superintendent Grade-II which is a selection post. In the relief prayed for by the applicant, he has prayed that the respondents should be directed to bring the relevant records of the proceedings of the Selection Committee and set aside the impugned order dated 16.3.99, with regard to the promotion of candidates who were junior to him but who also belong to the SC category. He has alleged that the selection of the other two candidates has been done in an arbitrary manner by the Selection Committee as according to him he has secured the cut off marks of 60% as per Rules. He has also submitted that the applicant had been earlier selected for the same post against which the respondents had appointed a general category candidate. However, it is not disputed that what is in question here is the selection to the post of Office Superintendent Grade-II conducted by the Selection Committee in February 1999.

3. The above averments have been controverted by the respondents. We have also heard Shri R.L. Dhawan, learned counsel. They have submitted ^{that} in compliance of the earlier judgment of the Tribunal in OA No. 2609/96 filed by the applicant, they have conducted the selection for three posts of Office Superintendent Grade-II which had fallen vacant w.e.f. 23.7.96. They have submitted that the applicant has been duly considered but had failed to ^{be} qualify in the

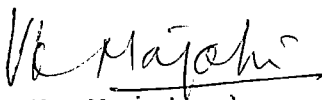
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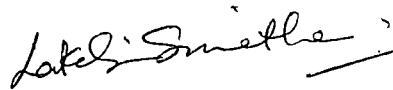
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selection test. Shri R.L. Dhawan, learned counsel has produced the relevant Selection Committee records for our perusal. He has submitted that there is nothing illegal in the manner in which the selection process has been conducted.

4. We have perused the aforesaid official records and found that the applicant, who was placed at Sr. No.2 has obtained lesser total ~~of~~¹⁸ marks than the private respondents 3 and 4. He has also not obtained 60% marks which, as submitted by the learned counsel for applicant, is the cut off marks as provided in the relevant Recruitment Rules. It is also relevant to note that this is a selection post against which the applicant has been duly considered by the Selection Committee.

5. Having regard to the above facts and circumstances of the case, we find no merit in the application ~~now~~ any ground to justify interference in the matter. The OA accordingly fails and is dismissed. No order as to costs.


(V.K. Majotra)
Member (A)


(Smt. Lakshmi Swaminathan)
Vice-Chairman (J)

cc.