

(13)

In the Central Administrative Tribunal
Principal Bench: New Delhi

OA No.2456/89

Date of decision: 21.04.1993.

Shri Chhatrasal Singh

...Petitioner

Versus

Union of India through the
Secretary, Department of Personnel
and Training, North Block,
New Delhi & Another

...Respondents

Coram:-

The Hon'ble Mr. I.K. Rasgotra, Member (A)
The Hon'ble Mr. J.P. Sharma, Member (J)

For the petitioner

Shri Gyan Prakash, Counsel.

For the respondents

None

Judgement(Oral)
(Hon'ble Mr. I.K. Rasgotra, Member (A))

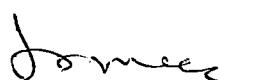
The learned counsel for the petitioner submitted that the case of the petitioner is fully covered by the judgement of this Tribunal in **Alok Kumar & Ors. v. Union of India & Ors. OA-206/89** decided on 20.8.1990 and as confirmed by the Hon'ble Supreme Court in **Mohan Kumar Singhania & ors. v. Union of India & Ors. JT 1991 (6) SC 261.**

2. The brief facts of the case are that the petitioner on the basis of the Civil Services Examination (CSE for short), 1988 was allotted tentatively to Indian Railway Traffic Service (IRTS for short) vide letter dated 10.8.1989. Before the letter of allotment could reach him, he had appeared in the CSE (Preliminary), 1989, in which he qualified. He sought permission to appear in the 1989 main Examination which was granted by the respondents, Ministry of Personnel, Public Grievances and Pensions (Department of Personnel and Training) vide letter dated 27.10.1989. The

petitioner appeared in the 1989 (Main) Examination but failed to qualify. Before this could happen he had filed an O.A. before the Tribunal on 8.12.1989. When the matter came up for hearing on 12.12.1989, the Tribunal granted an interim order directing the respondents to allow the applicant provisionally to join the probationary training of Indian Railway Traffic Service, on the basis of Civil Service Examination, 1988.

3. In accordance with the above order, the petitioner joined the IRTS and has continued there. Since he failed to qualify in CSE 1989, he has to avail of the service which was allotted to him on the basis of the CSE, 1988 which infact he is now availing.

4. In the facts and circumstances of the case, as mentioned above, the O.A. has become infructuous. The same is accordingly dismissed, as infructuous. No costs.



(J.P. SHARMA)
MEMBER(J)


(I.K. RASGOTRA)
MEMBER(A)

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