

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW DELHI

O.A. No. 1595/90

199

T.A. No.

DATE OF DECISION 23.8.1991Shri Jyoti Kalash & Another ~~Petitioner~~ ApplicantsShri S.S. Tiwari Advocate for the ~~Petitioner(s)~~ Applicant

Versus

Union of India through the Respondent
Secy., Deptt. of Personnel & Trg.Shri P.H. Ramchandani Advocate for the Respondent(s)**CORAM**

The Hon'ble Mr. P.K. Kartha, Vice-Chairman (Judl.)

The Hon'ble Mr. D.K. Chakravorty, Administrative Member.

1. Whether Reporters of local papers may be allowed to see the Judgement? *Yes*
2. To be referred to the Reporter or not? *No*
3. Whether their Lordships wish to see the fair copy of the Judgement? *No*
4. Whether it needs to be circulated to other Benches of the Tribunal? *No*

(Judgement of the Bench delivered by Hon'ble
Mr. P.K. Kartha, Vice-Chairman)

The applicants, while working as probationers in the Indian Railway Traffic Service (I.R.T.S.), filed this application under Section 19 of the Administrative Tribunals Act, 1985, praying that the respondents be directed to issue offer of appointment to them in the I.A.S. as has been given to their batchmates. The application was filed on 7.8.1990. On 8.8.1990, the Tribunal, while admitting the application, passed an interim order to the effect that the respondents are directed to provisionally allow the applicants to join

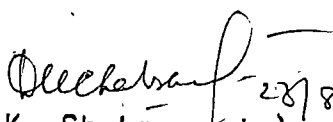
the probationary training in the Lal Bahadur Shastri Academy of Administration at Mussoorie, which was stated to be commencing from the third week of August, 1990. On 22.8.1990, the learned counsel for the applicants submitted that the Administrative Officer of the Lal Bahadur Shastri Academy had informed the applicants that they could report to the Department of Personnel & Training to obtain the necessary ^{orders} to enable the Academy to allow them to join the training. They reported to the Department of Personnel & Training on 19th August, 1990. On 24.8.1990, the learned counsel for the respondents brought to our notice a letter dated 23.8.1990 written by the respondents to the candidates who had been declared successful in the Civil Services Examination, 1989 for I.A.S. In terms of the said letter, they had agreed to the further action being taken in respect of the successful candidates. In view of this, the interim order already passed was ^{continued} until further orders.

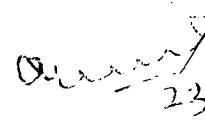
2. The facts of the case in brief are that the applicants, while undergoing probationary training with the Railways pursuant to their joining the I.R.T.S. in 1989, appeared in the ~~Exam~~ Civil Services (Main)

Examination in 1989. They were declared successful in the Main examination as well as in the subsequent interview. Applicant No.1 secured 21st position and applicant No.2, 27th position in the 1989 Examination. The respondents had issued offers of appointment to other batchmates of the applicants, but not to them. They did not give the applicants the offers of appointment on the ground that they had filed the present application.

3. In view of the submissions made by the learned counsel for the respondents on 24.8.1990, we feel that nothing survives in the present application. A similar application had been disposed of by another Bench of this Tribunal without giving any directions to the respondents in view of the submissions made by the respondents that the applicant had been offered appointment in the I.A.S. pursuant to his performance in the 1989 Examination (vide OA-1629/91 - Prabodh Saxena Vs. Union of India decided on 5.2.1991).

4. As the respondents have done the needful in the matter in regard to the present applicants, no further orders or directions are required to be passed in this O.A. The O.A. is accordingly disposed of.


(D.K. Chakravorty)
Administrative Member


(P.K. Kartha)
Vice-Chairman(Judl.)