

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 3rd DAY OF JUNE, 1996

Original Application No. 605 of 1996

HON. MR. JUSTICE B.C. SAKSENA, V.C.

HON. MR. S. DAS GUPTA, MEMBER (A)

Khadag Bahadur Singh aged about 35 years, son of late Sri Sheo Mangal Singh, r/o village and post Azamda, District Deoria, at present posted as Train Lighting Helper, N.E. Railway, Varanasi

Applicant

Versus

1. Union of India, through the General Manager, N.E. Railway Gorakhpur.
2. The Divisional Railway Manager (Karmik) N.E. Railway, Varanasi Division
3. Sri Ambika Prasad, Electrical Engineer N.E. Railway, Varanasi.
4. Sri Subodh Chowdhary, Mechanical Engineer (Power), N.E. Railway, Varanasi.
5. Sri Nagendra Nath Pathak, Assistant Personnel Officer, N.E. Railway, Varanasi.

Respondent

o r d e r (Oral)

JUSTICE B.C. SAKSENA, V.C.

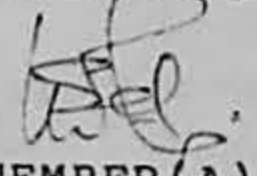
We have heard the learned counsel for the applicant. Through this O.A the applicant challenges the declaration of the result of a selection for various posts such as Electrical Khalasi, Electricity Helper Khalasi, Training Lighting Khalasi, Train Asstt, Train Electricity Helper etc. The results were declared on 10.4.96 by which 19 candidates have been selected. None of

For Respondent. No. 2.

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the selected candidates have been impleaded as respondents. A right has accrued to the persons who have been selected and ^{it would be} improper exercise of jurisdiction to entertain the petition ^{in their absence.}

2. Further the selection has been challenged on a short ground that the Selection Board ~~constituted~~ ^{consisted} of a member of Scheduled Tribe as also an officer belonging to the scheduled caste and thus it is alleged that the constitution of the Selection Board was contrary to the provisions of the Railway Board's letter dated 20.8.88, copy of which is Annexure A-4. Through ^{this} circular letter it was provided " include atleast one scheduled or scheduled tribe officer, as a member as provided in extant instructions". The word 'atleast' is significant that means the selection board should comprise of atleast one scheduled caste/scheduled tribe officer. The said provision does not ~~bring~~ ^{rule} out inclusion of the sc/st officer as members of the selection board. Thus we do not find any merit in the O.A which is accordingly dismissed, ~~on merit~~ ^{summarily}.


MEMBER (A)


VICE CHAIRMAN

Dated: 3rd June, 1996

Uv/