

Open Court.

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD
BENCH ALLAHABAD.

ORIGINAL APPLICATION No 564 of 2004 (U)
Allahabad this the 27th day of May 2004.

Hon'ble Mr. A.K Bhatnagar, Member-J

Hon'ble Mr. S.C. Chaube, Member-A.

Shri Lalit Kumar Sharma son of Maj. K.D. Sharma (Retd) Resident of 233, Doon Vihar,
Dehradun.

.....Applicant

(By Advocate: J.P. Kansal/ Maj K.D. Sharma (Retd))

Versus.

1. Union of India through General Manager, Northern Central Railway, Allahabad.
2. Chairman, Railway Recruitment Board, Northern Railway, DRM's Annexe Building, Nawab Yusuf Road, Allahabad.
3. General Manager, Northern Central Allahabad, Allahabad.

.....Respondents.

(By Advocate : Sri A.K. Gaur)

ORDER

(By Hon'ble Mr. A.K. Bhatnagar, J.M)

By this O.A., filed under section 19 of Administrative Tribunals Act, 1985, the applicant has prayed for quashing the impugned order rejecting the application of the applicant for the post of Assistant Station Master and Supervisor (P. Way) filed as Annexure A-1 and Annexure A 2 to the O.A. The applicant has further prayed for a direction to the respondents to hold written test and psycho Analysis Test for the above posts and assess suitability of the applicant therefore as per recruitment rules, and aforesaid advertisement and in case the applicant is found suitable for these posts to appoint him with all the benefits allowed to the other candidates against the advertisement.

2. The brief facts of the case as per the applicant are that the applicant applied for the post of Assistant Station Master and Supervisor (P Way) in separate application forms and completed all other pre-requisite and remitted fee etc. as prescribed in the advertisement (Annexure A-3). The applicant was informed by the respondent NO.2 on 22.10.2002 that his application for the post of Assistant Station Master is not entertained

as the applicant is over-age. On 02.07.2003, the applicant was again informed that he is over-age for the post of Supervisor (P Way). Applicant sent notice/representation against the decision of respondent NO.2 regarding over-age and waited for six months but no decision has so far been taken by respondents so he filed this O.A.

4. We have heard counsel for the parties.

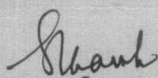
5. Sri A.K. Gaur learned counsel for the respondents prays for time for filing the counter which we do not consider necessary as the O.A. can be disposed of at the admission stage itself by issuing a direction to respondent NO.2 i.e. Chairman, Railway Recruitment Board, Northern Railway, DRM's Annexe Building, Nawab Yusuf Road, Allahabad to consider and decide the representation of the applicant dated 07.10.2003 sent to respondent No.2 by registered post. Photostat copy of the receipts are filed as Annexure A 6- A-7). The acknowledgment receipts are also filed as Annexure A-8.

6. We have perused the advertisement of Railway Recruitment Board Allahabad filed as Annexure A-3. We find in column 3 "As on 01.09.2001, the age limit shown as 18 to 33". We have also perused the High School Certificate filed by the applicant as Annexure A-9 in which the date of birth of the applicant is mentioned as 11.09.1968 which shows that the applicant was less than 33 years of age at the time of applying for the post.

7. Without going into the merits of the case, we are of the view that this O.A. can be disposed of at the admission stage itself by issuing an appropriate direction to respondent No.2 i.e. Chairman, Railway Recruitment Board, Northern Railway, DRM's Annexe Building, Nawab Yusuf Road, Allahabad to consider and decide the representation of the applicant dated 07.10.2003 filed as Annexure A-5 within a specified period.

8. The O.A. is accordingly disposed of with a direction to respondent NO.2 i.e. Chairman, Railway Recruitment Board, Northern Railway, DRM's Annexe Building, Nawab Yusuf Road, Allahabad to consider and decide the representation of the applicant dated 07.10.2003 by a reasoned and speaking order within a period of three months from the date of receipt of a copy of this order under intimation to the applicant.

No costs.


Member-A.


Member-J.

Manish/-