

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD.

Dated : This the 16th day of APRIL 2004.

original Application no. 384 of 2004.

Hon'ble Mr. A.K. Bhatnagar, Member (J)  
Hon'ble Mr. S.C. Chaube, Member (A)

Sukumar Biswas, s/o Sri U.M. Biswas,  
R/o Vill Bahirgachi, P.O. Hat Bahiragachi,  
NADIA (WB).

... Applicant

By Adv : Sri P Ganguli  
Sri K.N. Mishra

V E R S U S

1. Union of India through General Manager,  
Baroda House,  
NEW DELHI.
2. Divisional Rail Manager, North Eastern Railway,  
GORAKHPUR.
3. Assistant Secretary, Railway Recruitment Board,  
GORAKHPUR.
4. President, Railway Recruitment Board,  
GORAKHPUR.

... Respondents

By Adv : Sri K.P. Singh

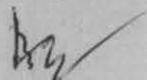
O R D E R

A.K. Bhatnagar, Member (J).

By this OA, filed under Section 19 of the A.T. Act, 1985, the applicant has prayed for direction to the respondents to issue appointment letter to the applicant for the post of Tech. III (Mech) in pursuance of the employment notice No. RRB/GKP/1/2001-2002 category No. 26.

2. The case, as per the applicant, in brief are that the applicant in pursuance to the notification dated 07.07.2001 applied for the post of Tech III (Mech) in the pay scale of Rs. 3050-4590. He appeared in the written test and got through the examination. Vide letter dated 05.01.2002, the applicant was informed about his success in the written examination and was asked to produce his original documents/records for verification. In pursuance to the notification the applicant appeared before respondent no. 3, who assured him that he will be issued appointment letter accordingly. When no action was taken the applicant sent a representation dated 23.4.2003 followed by reminder dated 02.07.2003. When no response was made by the department, the applicant filed this OA.

3. Applicant's counsel submitted that the applicant was fully eligible and qualified for the post, he had applied for ~~the same~~. He appeared in the written test and got through, so action of the respondents in not issuing the appointment letter to the applicant is illegal. Applicant's counsel further submitted that even after two years of the written examination, the respondents have neither issued the list of the selected candidates nor took any decision on the representation sent by the applicant. Applicant's counsel invited our attention to para 14 of the Railway Board's notification dated 07.07.2001. We have gone through para 14 of the said notification which clearly shows that for category no. 14 to 36 there will be written test only and the applicant has applied for the post for sl. no. 26 of the notification.



3.

4. Learned counsel for the respondents prays for time for filing counter affidavit, which in our opinion is not required at this stage as this case can be decided at the admission stage itself without calling for the CA, by issuing a direction to the Competent Authority to decide the representation of the applicant by a reasoned and speaking order within a specified time.

5. For the above the OA is disposed of with direction to the Divisional Railway Manager, N.E. Rly., Gorakhpur or the Competent Authority to decide the representation of the applicant dated 02.07.2003, by a reasoned and speaking order, within a period of three months from the date of communication of this order. To facilitate the process expeditiously, the applicant may file copy of his representation dated 02.07.2003 alongwith copy of this order before the Competent Authority.

6. There shall be no order as to costs.

*Shank*  
Member (A)

*J*  
Member (J)

/pc/