

(18)

(OPEN COURT)

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD**

ALLAHABAD this the 10th day of *November*, 2006.

ORIGINAL APPLICATION NO. 513 OF 2005

**HON'BLE MR. K. ELANGO, MEMBER- J.
HON'BLE MR. M. JAYARAMAN, MEMBER- A.**

Swarnjeet Kushwaha, S/o Sri Ramesh Chandra Kushwaha,
R/o 3/5, Drummond Road, Allahabad.Applicant.

VE R S U S

1. Union of India , through General Manager,
North Central Railway, Allahabad .
2. General Manager, North Central Railway,
Allahabad.
3. Divisional Sports Officer,
North Central Railway, Allahabad.
4. Deputy Director , Estt. (Sports),
Railway Board, Rail Bhawan, New Delhi.
5. Sri Bahadur Prasad, Assistant Sports Officer,
North Central Railway, Allahabad.

.....Respondents

Counsel for the Applicant: Sri Satish Mandhyan
Counsel for the Respondents : Sri Prashant Mathur

ORDER

BY HON'BLE MR. M. JAYARAMAN, AM.

Heard Sri S. Mandhyan, learned counsel appearing for the applicant and Sri P. Mathur for the respondents at length.

2. The main grievance of the applicant is that he is fully qualified as per the advertisement published by the respondents but till today he has not been appointed to the post advertised under sports quota.

He also refers to the certificate issued by Indian Olympics Association to show that the events conducted by the Indian Olympics Association are equal to the National level as such he very much comes within the eligibility criteria as laid down by the respondents.

3. Sri P. Mathur, Learned counsel for the respondents however, disputes the submissions made by the applicant. He also draws reference to the instructions ^{dt 19.6.2000} issued by the Railway Board, para 4.2.2(e) of which clearly shows that only Senior National and Junior National will be taken into account for recruitment purposes. To a specific query whether the application of the applicant was considered and rejected, Sri P. Mathur, counsel for the respondents was unable to show any thing. On the other hand he submits that only those, who have been found eligible, have been notified on the panel.

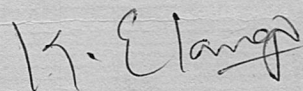
4. We have considered the submissions made by both the counsel for parties. We are of the view that the application of the applicant for the post has not been rejected since no letter or communication has been shown to have been issued to the applicant; as such, technically the same is still under consideration, particularly since the advertisement did not specifically mention that only successful candidates will be informed of the result. Under these circumstances, we consider it fit to give a direction to the respondents to consider and take a decision on the application made by the applicant, within a fixed time.

5. In view of the above discussions, the respondents are directed to consider and dispose of the application of the present applicant in accordance with law. Since a long time has elapsed, we consider it necessary to direct the respondent to take a decision in the matter within a period of 2 months.

6. With the observations made above, the O.A is disposed of with no order as to costs.



MEMBER- A.



MEMBER- J.