

(7)

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL,  
ALLAAHABAD BENCH,  
ALLAHABAD.**

**ORIGINAL APPLICATION NO. 58 OF 2005**

THIS THE 14th DAY OF DECEMBER, 2005

**HON'BLE MR. K.B.S. RAJAN, MEMBER-J**  
**HON'BLE MR. A.K. SINGH, MEMBER-A**

Gulab Chand Bharati, S/o late parashuram, R/o Room  
No. 19 Ishwar Sharan University Hostel, Allahabad.

Applicant

By Advocate : Sri A.K. Trivedi

Versus.

1. Union of India through Chairman Railway Board, New Delhi.
2. Secretary, Railway Board, New Delhi.
3. Chairman/Asstt. Secretary, Railway Recruitment Board, Mumbai Central, Mumbai.

Respondents

By Advocate : Sri K.P. Singh

**O R D E R**

**BY K.B.S. RAJAN, MEMBER-J**

The applicant, an aspirant for the post of Law Assistant was successful in the Written Examination conducted by the RRB, whereas his interview, call letter, posted at Mumbai on 30<sup>th</sup> September, 2004, for interview on 28<sup>th</sup> October, 2004, reached him only on 29<sup>th</sup> October, 2004. Attempt of the applicant who rushed to Mumbai to have the interview conducted did

(8)

not yield desired result. Meanwhile, result of the viva had also been declared on 17<sup>th</sup> December, 2004. Hence this O.A. for a direction to the respondents to hold the interview and consider the applicant for the post and as interim order, the prayer is for holding the interview (presumably provisionally) and not to take further steps in the process of appointment on the basis of result declared on 17<sup>th</sup> December 2004.

2. Respondents have contested the O.A. According to them, the dispatch for interview had taken place on time, much in advance of the schedule for conducting the interview. It has also been clearly notified in the very advertisement that the Recruitment Board is not responsible for delay in delivery or wrong address. This position has not been denied by the applicant. Again, the respondents have well in advance published on 28-10-2004, the results of the written examination and specified the date of interview, and advised the successful candidates to present themselves for interview on the specified date. The individual intimation is thus only a confirmation. This position has also not been denied by the applicant.

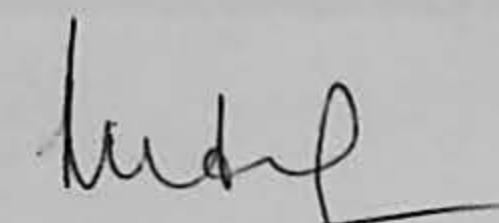
3. The applicant has not taken care to glance through the Employment News wherein the results were

*[Handwritten signature]*

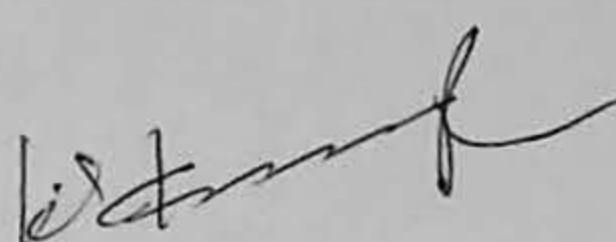
(9)

published well in advance. For late receipt of the interview call letter (receipt of which cannot be taken as a sine qua non for appearing in the interview on the basis of the publication in media of the results) the respondents cannot be blamed, especially when the call letter was posted well in advance and the advertisement itself giving the caution that the Board is not responsible for delay in postal delivery.

4. The applicant has failed to make out a case. Hence, the OA is dismissed. No costs.



MEMBER-A



MEMBER-J

GIRISH/-