

**Central Administrative Tribunal
Ernakulam Bench**

O.A No.180/00030/2021

Thursday, this the 29th day of July, 2021

CORAM:

**Hon'ble Mr. P.Madhavan, Judicial Member
Hon'ble Mr.K.V.Eapen, Administrative Member**

V.C.Janani, Aged 34 years
 W/o Dileep Thomas, Senior Commercial Clerk, Southern Railway,
 Booking Office, Quilon Railway Station, Kollam
 Residing at Maranattazhikathu Veedu, Chengamanad P.O.,
 Kottarakkara, Kollam – 691557. - Applicant

(By Advocate: Mrs.A.K.Preetha)

Versus

1. Union of India, represented by the Secretary to Government, Ministry of Railways, New Delhi-110001.
2. Southern Railway, Headquarters office, Personnel Branch, Chennai- 600003
Represented by Principal Chief Personnel Officer.
3. Principal Chief Personnel Officer, Southern Railway, Headquarters office, Personnel Branch, Chennai- 600003.
4. N.Sandesh Kumar, Staff and Welfare Inspector, Southern Railway, Chennai Division, Park Town, Chennai – 600003.
5. B.Raja, Staff and Welfare Inspector, Southern Railway, Salem Division, Salem-5.
6. Ramachandran R, Staff and Welfare Inspector, Southern Railway, Thiruvananthapuram Division, Thiruvananthapuram – 695001.
7. Pankaj Kumar, Staff and Welfare Inspector, Southern Railway, Chennai Division, Park Town, Chennai – 600003.
8. Ranjithkumar, Staff and Welfare Inspector,

Southern Railway, Chennai Division,
Park Town, Chennai – 600003.

9. John Thiravim, Staff and Welfare Inspector,
Southern Railway, Palakkad Division,
Palakkad-678002.
10. P.Ravisankar, now working as Staff and Welfare Inspector,
Chennai Division,
Park Town, Chennai – 600003.
11. Chinnaswamy, Staff and Welfare Inspector, Carriage Works,
Southern Railway, Chennai Division,
Peramboor – 600011.
12. Vanaraj, Staff and Welfare Inspector, Southern Railway,
Thiruvananthapuram Division,
Thiruvananthapuram. - Respondents

(By Advocate: Mr.Millu Dandapani for R 1-3)

The O.A having been heard on 29th, July 2021 through video conferencing, this Tribunal delivered the following order on the same day:

O R D E R (ORAL)

P.Madhavan, Judicial Member

This Original Application has been filed by the applicants seeking the following reliefs:

- “a) Issue an order quashing and setting aside Annexure A2 and A4 to the extent Respondents 4to12 has been granted promotion.*
- b) Issue an order or direction directing the respondents to recast Annexure A2 and A4 by correcting the errors which have crept in while calculating the mark of the Applicant in the Written Test and also to award marks for question No19.*
- c) Issue a declaration that the applicant is entitled to be considered for promotion on the basis of the marks secured in the written test alone.*
- d) To declare that the criteria adopted by the respondents in splitting the written test marks into 2 and incorporating the service record marks for the purpose of finalization of*

select list in arbitrary and illegal.

e) Issue an order or direction to the respondents to recast the selection list taking into consideration the marks obtained by the candidates in written examination and to make modifications in the select list taking into consideration the mistake that has crept in the answer key and be further pleased to issue

f) such other orders and directions as are deemed fit in the facts and circumstances of the case."

2. The brief facts of the case are as follows:

The applicant is aggrieved by Annexure A-2 and Annexure A-4 orders whereby selection and promotion have been effected in respect of the post of Staff and Welfare Inspector in which the applicant had participated.

3. When the matter came up for hearing, Adv.Mrs.A K Preetha, learned counsel for the applicant submits that the applicant wishes to withdraw the Original Application and she is ready to file a memo to that effect.

4. **The Original Application is dismissed as withdrawn.** No costs.

(K.V.Eapen)
Administrative Member

(P.Madhavan)
Judicial Member

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List of Annexures

- Annexure A1 - A true copy of the notification published by the 2nd respondent dated 5.11.2019.
- Annexure A2 - A true copy of the Order No. P(GS)608/XII/S&WI/35%Quota/Vol.VII(2019) dated 9.03.2020 issued by the 2nd respondent.
- Annexure A3 - A true copy of the marklist published by the 2nd respondent dated 3.08.2020.
- Annexure A4 - A true copy of the order dated 3.09.2020 published by the 2nd respondent.
- Annexure A5 - A true copy of the reply received under the Right to Information Act along with the documents.
- Annexure A6 - A true copy of the relevant pages of the Indian Railway Establishment Code.
- Annexure A7 - A true copy of the OMR sheet(lacks clarity) as served on the applicant on her application under Right to Information Act.
- Annexure A8 - A true copy of the schematic representation of the effect of incorporating of the additional 30 marks.

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