

(21)

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD

Registration No. 638 of 1986 (T)

(C.R. 56/86)
G.S. Bajpai Applicant

Versus

Union of India (C.Rly) & Others.... Respondents.

Hon.S.Zaheer Hasan, V.C.

Hon. Ajay Johri, A.M.

(By Hon.S.Zaheer Hasan. V.C.)

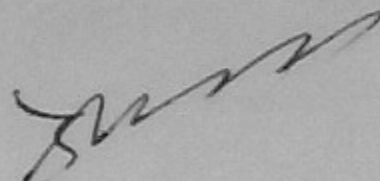
The plaintiff's case is that he was working as a Fitter in Railway Steam Loco Shed Jhansi Grade-I in the scale of Rs.380 - 560. On 27.6.82 and 13.7.82 tests were held and a panel was prepared. The plaintiff was not invited because he was lying ill. A supplementary test was also held on 13.7.82 to which also the plaintiff was not invited though he was declared fit on 17.7.82. So the plaintiff filed a suit with a prayer that the aforesaid selection which took place on 27.6.82 and 13.7.82 should be stayed. It was further prayed that the plaintiff will be deemed to have been selected on the aforesaid date of selection. Selections have already been made and the persons on that basis had started working long ago. There is no question of granting relief number 1. As regards relief Number 2 it was contended that the suit is bad for non-joinder of necessary parties meaning thereby the persons have already been selected and promoted. The learned Munsif has held that these persons are necessary parties and they should be impleaded. This ~~case~~ ^{revision} has come on transfer to this Tribunal under Section 29 of the Administrative Tribunals Act XIII of 1985. The plaintiff has now retired and it was conceded that it is no longer necessary to implead those persons who had been selected

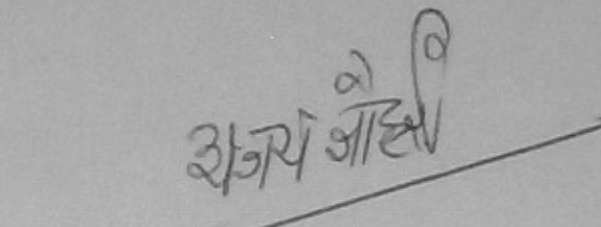
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and promoted in the aforesaid test, As such the Civil Revision is allowed with costs on parties and the impugned order is set aside.


V.C.


A.M.

RKM

27.10.1986.