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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD
ADDITIONAL BENCH AT ALLAHABAD

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Allahabad : Dated this 23rd of November, 1995

Original Application No. 30 of 1987

QUORUM:-

Hon'ble Mr. Justice B.C. Saksena, V.C.

Hon'ble Mr. S. Das Gupta, A.M.

Shamsul Haque son of Shrii Noor Mohammad

Resident of Village Baberi

Post-Sohilapur.

District-Ghazipur.

(By Shri S.P. Singh, Advocate)

..... Applicant

Versus -

1. The Chairman

Railway Service Commission,

19, Sardar Patel Marg,

Allahabad (U.P.)

2. Union of India

Through Secretary Ministry of Railway,

Secretariate New Delhi.

(By Shri A.K. Gaur, Advocate)

..... Respondents

O R D E R (_o_r_a_l_)

By Hon'ble Mr. Justice B.C. Saksena, V.C.

Since this is a 1987 petition, we have gone through the petition with the assistance of Shri AK Gaur, Learned Counsel for the Respondents. The brief facts are that the Respondents issued an advertisement in 1975 for filling up of certain Class ^{III} posts in the railways. The applicant had submitted

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his candidature for the post of Asst. Station Master and for another post of Category No.43 indicated in the advertisement. The applicant's case is that he qualified in the written examination for the post of Asst. Station Master and called for interview also. The applicant alleges that a merit list was published where the applicant stood in the 5th position but neither a copy of the so called merit list has been filed nor placed on record. In the counter affidavit, the respondents have indicated that in the selection for the post of Asst. Station Master, the applicant failed in the aptitude test. In his reply in the rejoinder affidavit the applicant has stated that since he was a candidate for other test for which aptitude test was not required, his candidature for other post should have been considered. A supplementary affidavit has been filed on behalf of the respondents in which it has been indicated that at the selection for the other post the applicant failed to qualify in the written test. In view of the pleadings, no case for grant of relief is made out.

2. Further, the matter pertains to the year 1976. The OA was filed in 1987. There is no valid explanation for delay in filing the OA. It is clearly barred by limitation. For the reasons indicated above, the OA lacks merit and is accordingly dismissed. Parties shall bear their own costs.

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Member (A)

Bd

Vice Chairman

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