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Court No.1

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD

Registration D.A. No.694 of 1988

Arbind Kumar Singh & Ors.. Applicant

Versus

Railway Service Commission, ... Respondents.
N.R. Allahabad & Another.

Hon. Ajay Johri, A.M.
Hon. G.S. Sharma, J.M.

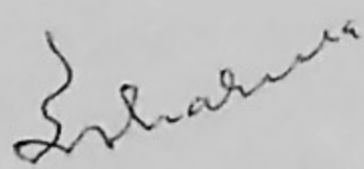
(By Hon. Ajay Johri, A.M.)

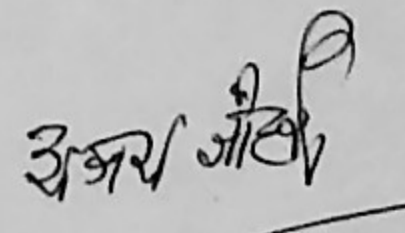
Shri Nazar Bokhari for the applicant

Shri A.K. Gaur for the respondents.

Heard Shri Bokhari for the applicant. In this application there are ^{specific} no orders under challenge. Under item (i) it has been said that the application is based on non-consideration of the applicants for promotion to the post of Fireman 'C' which is due and has not so far been given by the respondents. As far as this cause of action is concerned, the applicants have not filed any specific request or representation made by them against their non-promotion or any order issued by the respondents to say that they will not be promoted if they are due for promotion. Therefore no cause of action arises at the moment. In regard to item (ii) which is some advertisement and which has been published in Amrit Prabhat on 15.5.87 for the recruitment of Fireman 'A'/Assistant Driver totalling about 350 posts and the declaration of the date of examination

as 5.6.1988. The prayer is that this advertisement be quashed. The respondents must have made advertisement against some definite scheme of recruitment which is not challenged here. Therefore ^{and does not disclose any valid cause of action.} even the relief at item (ii) is vague. The third cause of action mentioned is the advertisement dated 18.5.1988 published in Nav Bharat Times for the post of Assistant Driver (Diesel and Electric) numbering about 515. This advertisement is also sought to be quashed on the ground that the applicants who are presently working as Cleaners have a channel of promotion to the post of Fireman 'C' / Assistant Driver. In view of the fact, that the scheme under which these advertisements have been issued by the respondents is not challenged, we do not think this to be a fit case for admission. Accordingly we reject this application as not maintainable. A copy of this order as well as the copy of the petition be given to the learned counsel for the respondents.


Member (J)


Member (A)

Dated the 15th July, 1988.

RKM