

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH, ALLAHABAD

ORIGINAL APPLICATION NO. 802 OF 1992

Allahabad, this the 19th day of April, 2000.

CORAM : Hon'ble Mr. Rafiq Uddin, Member (J)  
Hon'ble Mr. M.P. Singh, Member (A)

1. Laxman Singh Verma, aged about 38 years  
s/o Sri Tikam Singh R/o Quarter No. RB/II/  
64/GEC, Rly. Colony, Railway Station Bad,  
Mathura., U.P.
2. Anil Kumar Khare aged about 31 years  
s/o Sri Krishna Murari Khare, R/o  
No. RB/II, 52C, Central Rly. Colony,  
Railway Station Bad, District Mathura.
3. Achay Kumar S/o Sri Rachhpal Singh,  
aged about 37 years,  
R/o Q. No. RB/II, 56,C, Central Rly.  
Colony, Railway Station Bad, District  
Mathura.

.....Applicants.

C/A Shri R.P. Srivastava

Versus

1. Union of India through Chairman, Rly. Board,  
Rail Bhawan, Bali Marg, New Delhi.
2. General Manager, Central Railway,  
Bombay V.T.
3. Chief Operating Superintendent, Bombay V.T. Bombay.

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4. Chief Personal Officer, Bombay V.T. Bombay.

..... Respondents.

C/R Shri G.P. Agrawal

O R D E R

(By Hon'ble Mr. Rafiq Uddin, Member (J) )

The applicants have approached this Tribunal for direction to be issued to the respondents to reinterview the applicants for the post of Traffic Apprentice and to restrain respondent No. 2 from declaring the result of the Selection Committee headed by Shri N.C. Goel, Chairman and Shri S.B. Ingle, Chairman.

2. Brief facts of the case are that the applicants appeared and qualified successfully in the written examination conducted by Selection Committee for the post of Traffic Apprentices. The names of the applicants were duly mentioned in the list of successful candidates at Sl. No. 341, 282 and 340 (Annesure No. 2). The successful candidates were invited for viva voce test before the Selection Committee under the chairmanship of Shri N.C. Goel Deputy COP and two other Members namely Shri K.K. Singh Mayank (G) and Smt. S.B. Khare. The applicants have alleged that the aforesaid Board was famous for his honesty. But suddenly the Board was abolished by the Railway Administration and Board consisting of Chairman Shri S.B. Ingle, Deputy COLs (G) (MTP), Shri Prem Narain ARM (WB) and Smt. S.B. Khare was constituted. It is further stated that the Board constituted under the

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chairmanship of Shri N.C. Goel interviewed about 70 ✗ candidates, whereas the second Board constituted under the chairmanship of Shri S.B. Ingle interviewed only 30 ✗ candidates but the previous Board selected only 30 ✗ candidates as successful whereas the second Board selected 70 ✗ candidates as successful in the interview.

3. The case of the applicants is that the first Board was abolished without any reason in arbitrary manner and the recruitment made by the second Board under the chairmanship of Shri S.B. Ingle was made on the basis of some amount paid by the successful candidates. The representation were made by the candidates did not succeed are without any result hence this O.A.

4. The respondents have opposed the application of the applicant on the ground that the applicants participated in the viva voce test and was declared unsuccessful, hence, the question of their reinterview does not arise. As regards the reconstitution of the Board, it has been stated that the Members of the first Board namely Shri N.C. Goel, Shri K.N. Singh were transferred to Bombay Division and Agra Cantt. Therefore, competent Authority nominated Shri S.B. Ingle and other Members of the Board. They completed the selection process. The allegation of his receiving any ~~mandatory~~ <sup>monetary</sup> benefit from the successful candidate have also been denied.

5. It is also stated that since process of the selection is over, the O.A. is not maintainable and deserves to be dismissed.

6. We have heard Shri G.P. Agrawal for the respondents and perused the record.

21

7. In the present case it is clear that the selection process is already over and since the applicants admittedly participated in the viva voce test, so they have no legal right to challenge the result of the selection at this stage. The O.A. has no merit and deserves to be dismissed. Accordingly the O.A. is dismissed.

There shall be no order as to costs.

*Malik*  
Member (A)

*Zafaruddin*  
Member (J)

/S.P./