

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

ALLAHABAD

Dated: This the 26th day of November, 1996

Hon'ble Mr. Justice B.C. Saksena VC
CORAM : Hon'ble Mr. S. Das Gupta AM

ORIGINAL APPLICATION NO. 1356 of 1992

1. Ishcharan son of Ram Charan,
resident of 281/S, New Railway Colony,
Tundla, District Agra.
2. Mahendra Pal son of Hukum Singh,
245/S, Line par, Tundla,
District Agra. - - - - - Applicants

C/A Sri K. S. Saxena

VERSUS

1. Union of India through General Manager,
Northern Railway, Baroda House, New Delhi.
2. The Divisional Railway Manager,
Northern Railway,
Allahabad.
3. The Senior Divisional Optg. Supdt.,
Northern Railway, DRM Office,
Northern Railway, Allahabad.
4. Senior Divisional Comml. Supdt.,
N. Railway, Allahabad (DRM Office)
5. The Divisional Personnel Officer,
Northern Railway, DRM Office,
Allahabad. - - - - - Respondents

C/R Sri N.K. Shukla
Sri V.K. Goel
Sri T.N. Koel.

Boe

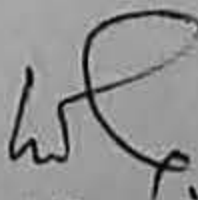
ORDER (ORAL)

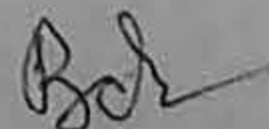
By Hon'ble Mr. Justice B.C. Saksena VC

O. A. is directed against the selection for the post of Passenger Guard scale 1350-2200. The applicant have raised two grounds to challenged the selection. First is the alleged bias on the part of senior D.O.S. of Allahabad Division. The said allegation of malafide cannot be taken cognizance of since the Sr. D.O.S. has not been impleaded by name in the O.A. as respondent. He has been impleaded only indicating his designation. The Sr. D.O.S., at the relevant time, was required to have been impleaded by name if the allegation of malafide was intended to be considered by the Tribunal. The applicants have made absolutely vague and unwarranted allegations.

2. The second ground taken is that the post in question in view of the decision of this Tribunal in O.A. No. 647/86 decided on 21.1.1987 was to be treated as non selection post. The respondents in the C.A. have stated that the decision rendered in Virpal Singh Chauhan V/s Union of India has been misinterpreted to make out the case by the applicants.

This decision was on a totally different ground and does not lay down that the post of Passenger Guard shall be treated as a non selection post. Proceedings of the Selection Committee, which has considered the candidature of the applicant also is not to be interfered with lightly by us. As no ground has been made out, the O.A. is, therefore, dismissed. Cost easy.


AM


VC