

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 8TH DAY OF FEBRUARY, 2001

Original Application No. 308 of 1993

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

HON.MR.M.P.SINGH, MEMBER(A)

1. Raja Ram, Son of Sri Sattidin
R/o 441-B Railway Colony
Fazalganj, Kanpur.
2. Gopal Dutt Dubey Son of Sri C.P.Dubey
R/o 237-A New Loco Colony,
N.Railway, Varanasi.
3. Om Prakash, son of Sri sada Shiv
R/o Rly.Qr.No.22 G
Railway Station Colony, Kashi,
Varanasi.
4. Anil Kumar Srivastava, Son of
Sri Fakir Chand Lal, R/o Pittar
Kunda, Varanasi.

... Applicants

(By Adv: Shri A.K.Sinha)

Versus

1. Union of India through the Chairman,
Railway Board, Ministry of Railways
Railway Board, New Delhi.
2. General Manager, Northern Railway
Baroda House, New Delhi.
3. Chief Commercial Superintendent,
Northern Railway, Baroda House
New Delhi.

... Respondents

(By Adv: Shri A.K.Gaur)

O R D E R(Oral)

JUSTICE R.R.K.TRIVEDI,V.C.:

By this application u/s 19 of A.T.Act 1985 the applicant prayed for a direction to the respondents to interpolate the name of the applicant at appropriate place in the panel dated 27.11.1992 with all consequential benefits. The applicant also filed a copy of the panel bearing date 26.11.1992 and claimed that he was successful in the panel but the names of the applicants have been left.

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The respondents on the other hand filed counter reply and claimed that the applicants failed in the Viva-Voce and could not be selected, Though on the basis of their performance in written examination they were called for interview. In view of the assertion of the applicants that they had passed in Viva-voce also we required the learned counsel for the respondents to produce the original record. Record has been examined by us. It shows that names of applicants were not included in the panel dated 27.11.1992. The copy of the panel filed alongwith the rejoinder affidavit is of 26.11.1992. It cannot be termed to be the same document because the correct date has already mentioned by the ~~relief clause of O.A. can be in~~ applicant in the ~~original~~. No reliance has also been placed on ~~behalf of this document~~.

In the circumstances, as applicant could not succeed, the direction claimed ~~can~~ could not be granted.

The OA is accordingly dismissed. There will be no order as to costs.

MEMBER(A)

VICE CHAIRMAN

Dated: 8.2.2001

/Uv/