

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD

Original Application No. 1220 of 1995

Allahabad this the 11th day of December, 2002

Hon'ble Mr. Govindan S. Tampi, Member (A)  
Hon'ble Mr. A.K. Bhatnagar, Member (J)

1. S.K. Kulshrestha S/o Sri J.P. Kulshrestha,
  2. S.C. Verma Son of Sri Gulab Singh,
  3. Sri P.B. Sinha, Son of Sri K.B. Sinha
- all presently posted as Section Controller  
under the Chief Controller, N. Railway, Tundla.

Applicants

By Advocate Shri Ajay Rajendra

Versus

1. Union of India through General Manager,  
Northern Railway, Baroda House, New Delhi.
2. Divisional Railway Manager, Northern Railway,  
Allahabad.
3. Senior Divisional Operating Manager, Northern  
Railway, Allahabad.
4. Senior Divisional Personnel Officer, Northern  
Railway, Allahabad.
5. Shri R.A. Ahwar (S.C.) S/o not known, Passenger  
Guard, Allahabad C/o Station Suptd., Allahabad.
6. Sri H.K. Pandey S/o not known Mal Guard under  
Chief Controller, Northern Railway, Tundla.
7. Sri R.C. Srivastava S/o not known, Asstt. Station  
Master C/o Station Suptd. Allahabad.
8. Sri P.C. Hajela S/o not known Asstt. Station  
Master C/o Station Suptd. Kanpur.
9. Sri A.K. Amwastha S/o not known, Asstt. Station  
Master, C/o Station Suptd. Chunar.

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10. M.P. Sinha S/o not known, Asstt. Station Master C/o Station Supdt. Chunar.
11. R.C. Srivastava S/o not known Asstt. Station Master Jhijak C/o Station Supdt. Kanpur Dehat.
12. R.N. Mishra S/o not known C/o Station Supdt. Bhaupur, District Kanpur.
13. A.K. Sinha S/o not known C/o Station Master Supdt. Chunar.
14. S.C. Kanojia (S.C.) S/o not known Asstt. Station Master C/o Control Deptt., D.R.M. Office, Allahabad.
15. Satya Narayan S/o not known Mail Guard, under Chief Controller, N. Railway, Allahabad.
16. S.C. Mishra S/o not known Asstt. Yard Master under Control Deptt. Allahabad.
17. P.N. Jaiwanswath S/o not known Asstt. Station Master under Chief Control N. Railway, Jeewanathpur District Mirzapur.

Respondents

By Advocate Shri A.K. Pandey

ORDER ( Oral )

By Hon'ble Mr. A.K. Bhatnagar, Member (J)

This O.A. has been filed under Section 19 of the Administrative Tribunals Act, 1985 to quash the letter/order dated 16.02.1995 to the extent the applicants declared failed. It is further prayed that the respondents be directed to evaluate the answer copies/again and declare them successful in the examination.

2. The brief facts of the case are that the applicants no.1, 2 and 3 belongs to the cadre of Assistant Station Master recruited in the Northern Railway, Allahabad by direct recruitment on 03.02.83, 05.01.80 and 15.07.82 respectively. It is stated by the applicants that when the respondents authorities

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were in grave and urgent need of efficient persons to work on the post of Section Controller, the applicants offered their services. The applicants were continuously working on the post of Section Controller from their respective dates. The respondent no.2 vide the letter dated 22.6.1990 issued a Notification calling -application for the selection by limited departmental competitive examination for the post of Section Controller. In response, the applicants ~~were~~ applied for the same, but their claim was rejected by the respondents. However, aggrieved by the action of the respondents the applicants filed an O.A.No.190/91 before the Principal Bench, which by order dated 01.02.91 permitted the applicants to appear in the examination. It is further contended--- that as the applicants have completed 3 years of services as Section Controller, they became entitled to be regularised on the post. With the above facts and several decisions cited by the applicants, they have prayed for abovementioned reliefs.

2. The respondents have filed their counter affidavit, in which they have stated that the applicants were failed in the limited departmental competitive examination for the post of Section Controller. It is stated that the applicants are raising same controversy on the same ground and they have not named any particular officer against whom such allegations of malafides <sup>were</sup> ~~are~~ levelled.


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with these facts, the respondents have prayed for dismissal of the O.A. as the applicants are not entitled for any relief.

3. We have heard Shri Ajay Rajendra, counsel for the applicants and Shri D. Tiwari brief holder to Shri A.K. Pandey, counsel for the respondents and also perused the pleadings.

4. Learned counsel for the respondents has submitted that the applicants are not entitled for any relief as they have not got success in the limited departmental examination held for the post of Section Controller. We are in agreement with the contentions of the learned counsel for the respondents. The respondents have also shown at page 6 of their counter affidavit as to how the post of Section Controller is to be filled. After considering the pleadings of both sides, we are of the opinion that the applicants are not entitled for any relief.

5. With the above discussions in view, we dismiss the O.A. as lacking any merits. No order as to costs.

  
Member (J)

  
Member (A)

/M.M./