

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH,  
ALLAHABAD**

**ORIGINAL APPLICATION NO. 711 OF 2000**

ALLAHABAD THIS THE 6TH DAY OF FEBRUARY, 2008

**HON'BLE MR. ASHOK S. KARAMADI, MEMBER-J  
HON'BLE MR. SHAILENDRA PANDEY, MEMBER-A**

Girja Shanker Singh; Aged about 40 years, S/o late  
Sri R.B. Singh, residing at 513 Nanakganj, Sipri  
Bazar, Jhansi. U.P.

.....Applicant

(By Advocate S/Shri S.K. Mishra, M.P. Gupta and R.G.  
Soni)

V E R S U S

1. Union of India through G.M. Central Railway,  
Mumbai, (Maharashtra).
2. The D.R.M., Central Railway, Divisional Office,  
Jhansi.

.....Respondents

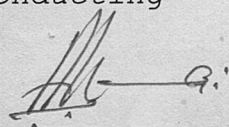
(By Advocate: Sri P. Mathur)

**O R D E R**

**BY ASHOK S. KARAMADI, MEMBER-J**

This O.A. is filed seeking following  
relief{s):-

"{a} That the impugned order dated 14.6.2000  
(Annexure-1) and the notification dated  
14.6.2000 inviting fresh application for  
the post of Commercial Apprentices  
(Annexure IX) be struck down as being  
illegal against rules, malafide, arbitrary  
and discriminatory besides being against  
the principles of natural justice. The  
respondents be restrained from conducting





any selection test for the eight post or commercial Apprentices for which selection test was held earlier in 1999 and 2000.

{b} That the respondents be directed to declare the panel for the posts of Commercial Apprentices formed on the basis of written test held on 29.11.1998 and 6.12.1998 and the viva voce test held on 7.2.2000 and 9.2.2000, and to promote the persons whose names are on the panels commercial Apprentices.

(c) That in the alternative it is prayed that the applicant be exempted from appearing at the written examination which may be held on the basis of the notification dated 14.6.2000 (Annexure-IX) and his candidature be evaluated on the basis of his performance at the written test held on 29.11.1998 and 6.12.1998 and the viva voce test held on 7.2.2000, irrespective of the fact that he has crossed forty years of age.

(d) .....


(e) ....."

2. The proxy counsel for the applicant who is present in Court, was unable to give reply with regard to the present status of the applicant as on today. The learned counsel for the respondents made submission having regard to the Misc. Application filed and the contentions taken therein and thereafter he has filed the order dated 30.1.2001; a copy of the same is produced alongwith the Misc. Application. Based on the same, the learned counsel for the respondents submits that the case of the applicant has duly been considered and granted the



relief and as such ~~no relief~~ does not survive for consideration. Having regard to the fact that the applicant has been granted relief and is continuing in service and is presently working as Chief Law Assistant, N.C.R., Jhansi, therefore, he submits that no grievance of the applicant subsists.

3. In view of the statement made by the learned counsel for the respondents, we are of the view that the grievance of the applicant does not survive for any adjudication in this O.A. Having regard to the same, the O.A. is dismissed as having become infructuous. However, ~~the~~ liberty is given to the applicant to agitate his grievance, if any, subsists.

  
MEMBER-A

GIRISH/

  
MEMBER-J