

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH, ALLAHABAD

ORIGINAL APPLICATION NO. 1203/02

alongwith

ORIGINAL APPLICATION NO. 1133/01

TUESDAY, THIS THE 22nd DAY OF OCTOBER, 2002

HON. MR. S. DAYAL, MEMBER-A

HON. MR. A. K. BHATNAGAR, MEMBER-J

Nawab Isa,
s/o Sri Wahid Ali,
r/o Village Lalpur,
Post Office Purab Kasia,
P. S. Kokhraj,
District Kaushambi.
At present working as Peon cum Porter,
Office of Chief Reservation Superintendent,
Northern Railway,
Allahabad.Applicant.

(By Advocate:- Shri A.N. Tripathi)

Versus

1. Union of India,
Through Chairman
Railway Board,
Rail Bhavan,
New Delhi.
2. Divisional Railway Manager,
Northern Railway,
Allahabad.
3. Divisional Commercial Manager,
Northern Railway,
Allahabad.
4. Mohd. Azahar Shams,
Divisional Commercial Manager,
Northern Railway,
Allahabad. Respondents.

(By Advocate:- Shri A.K. Gaur)

O R D E R

HON. MR. S. DAYAL, MEMBER-A

This application has been filed with the prayer
for setting aside order dated 13-10-99 and a
direction to respondents to announce the scheme.

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of recruitment before commencing recruitment and also to make recruitment for all the declared 43 vacancies.

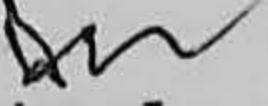
2. The applicant has claimed that he is a group D employee and has completed more than 3 years of service and was entitled to appear in the departmental examination for recruitment to the post of Ticket Collector against 33.33% departmental quota. Since he was eligible, he submitted his application form before 25-9-1998 in which some of 555 candidates appeared in the written examination held on 6-6-1999 from which 85 candidates including the applicant were selected for interview. It is claimed that the selection was just a show only for the satisfaction of the candidates and the Chairman had already decided to select his own candidates to be empanelled. It is claimed that 35 marks were for written examination and 65 marks for interview. It is also claimed that there were 43 vacancies which/should have also been filled up. Other irregularities in the selection have also been alleged.

3. The argument of Shri A.K.Gaur, counsel for the respondents has been heard.

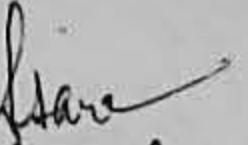
4. Learned counsel for the respondents has cited before us the judgement in the case of Beni Madhav Singh and others Vs Union of India and others in O.A NO. 1381/99 decided on 3-5-2002 and O.A NO. 1133/01 decided on 3-10-2002 where the same controversy was examined and also relying on the law laid down by the Apex Court in Om Prakash Shukla Vs Akhilesh Kumar Shukla AIR 1986 SC 1043, the O.A had been found as lacking in merit and was dismissed.

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5. This O.A is also hereby dismissed as lacking in merit on similar grounds. There shall be no order as to costs.



Member-J



Member-A

/madhu/