

OA 284/03

27-3-03

Hon. Maj. Gen. K. K. Srivastava, AM
Hon. Mr. A. K. Bhatnagar, JM

Not reached. List again
on 28-3-03 for admission.

BCL
per

28-03-2003

Hon. Maj. Gen. K. K. Srivastava, AM.
Hon. Mr. A. K. Bhatnagar, JM.

Heard Shri K. K. Mishra for the applicant. Shri K. P. Singh has sent illness slip. The applicants stand selected for the post of Loco Inspector (RS) in the scale of Rs 6500-10500 purely on temporary measure to fill up the vacancies on option basis. The applicants appeared in the written examination held on 05/12/02⁰² and they were declared successful by the results declared on 15/1/03. Their viva-voce test was held on 29/1/2003. The applicants have prayed for direction to the respondents that in case they have cleared the viva-voce, they should be given appointment. However, we find that by order dated 12/3/03 (Ann. A-9), the respondents have cancelled the written examination and the oral test held on 05/12/02 and 29/01/03. The argument of learned counsel for the applicants is that the action of the respondents is illegal. In view of the arguments advanced, we consider it necessary to call for the C.A. The notices have already been served on 26/03/03 on counsel for the respondents, therefore, it is not necessary to send separate notices. The respondents are granted 4 weeks time to file the C.A. Two weeks thereafter is granted for filing the R.A. List this case on 22/5/03 for admission.

The applicants may appear in the written examination which as per the applicants counsel is scheduled to be held on 02/04/03. However, their appearing in the examination to be held on 02/04/03 will not prejudice their rights as raised in this O.A. However, we provide that if any promotion is made during the pendency of the O.A., that will be subject to outcome of this O.A.

Copy of the order be given to counsel for the parties within 3 days.

Am
JM.

Am
JM