

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

Dated : This the 08th day of April 2009

Original Application No. 381 of 2006

Hon'ble Mr. A. K. Gaur, Member (J)
Hon'ble Mr. S.N. Shukla, Member (A)

Smt. Gita Devi, W/o Shri B.N. Rai, R/o 108-C, Loco Colony, Allahabad.

. . . Applicant

By Adv : Sri S.S. Sharma

V E R S U S

1. Union of India through General Manager, North Central Railway, Headquarters office, Allahabad.
2. The General Manager, North Central Railway, Headquarters office, Allahabad.
3. The Divisional Railway Manager, North Central Railway, DRM Office, Allahabad.
4. The Senior Divisional Commercial Manager, North Central Railway, DRM Office, Allahabad.

. . . Respondents

By Adv: Shri K.S. Saxena

O R D E R

By Hon'ble Mr. A. K. Gaur, Member-J

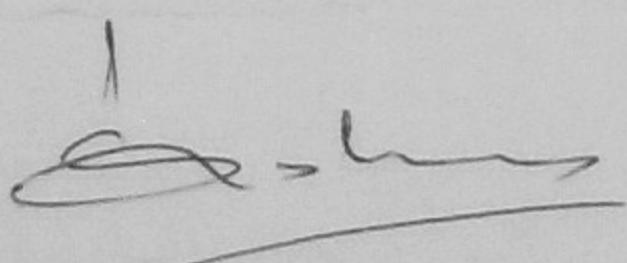
Sri S.S. Sharma learned counsel for the applicant. Sri K.S. Saxena, learned counsel for the respondents.

2. Learned counsel for the applicant at the very outset submitted that he has filed this OA for including his name in the eligibility list of the candidates and for permitting him to appear in the selection for the

post of Clerk cum typist. Twice orders were passed permitting her to appear in the selection but the selection has been cancelled on both the occasions.

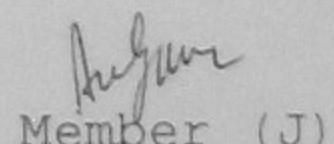
3. In our considered view the cancellation of selection for valid reasons is the prerogative of the employer. As the selection has already been cancelled, this O.A. has become infructuous. With regard to the eligibility of the candidature of the applicant, she has already filed representation to the competent authority. However, the applicant may file fresh representation within a period of 10 days from the date of receipt of a copy of this order highlighting her grievance. There is hardly any justification for not considering the case of the applicant. We accordingly direct the respondents to decide the representation of the applicant. The respondents are directed to consider and decide the representation as well as eligibility of the applicant, in accordance with rules within a period of three months from the date of receipt of a copy of this order. If the applicant is still aggrieved she may again approach this Tribunal for redressal of her grievance.

4. In view of the above observation the OA is disposed of. No cost.



Member (A)

/pc/



Member (J)