

CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

~~Case No.~~ 436/92
~~OA No.~~

DATE OF DECISION 06.9.1994.

Shri P.M.Sanghani & Ors. Petitioner

Shri R.R.Tripathy Advocate for the Petitioner (s)

Versus

Union of India and ors. Respondent

Shri B.R .Kyada. Advocate for the Respondent (s)

CORAM

The Hon'ble Mr. K.Ramamoorthy : Member (A)

The Hon'ble Mr. Dr.R.K.Saxena : Member (J)

JUDGMENT

1. Whether Reporters of Local papers may be allowed to see the Judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgment ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

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1. P.M.Sanghani,
2x9xxRxxkxxAxxxx,

A/5, Africa Colony,
Main Road,
Behind 5, Saurashtra,
Kala Kendra Society,
Rajkot.

2. Om Prakash Arora,
Quarter No. 69/A/1,
Rakhodia Colony,
Rajkot.

...Applicants.

(Advocate : R.R.Tripathy)

Vs.

1. Union of India,
Notice to be served through
the General Manager,
Western Railway,
Churchgate,
Bombay - 400 020.

2. Divisional Railway Manager,
Western Railway,
Rajkot Division,
Kothi Compound,
Rajkot.

3. Addl. Divisional Railway Manager,
Western Railway,
Kothi Compound,
Rajkot.

...Respondents.

(Advocate : Mr.B.R.Kyada)

ORAL JUDGMENT

O.A./436/92

Date : 06.9.1994.

Per : Hon'ble Mr.K.Ramamoorthy : Member (A)

This case relates to grant of relief for ~~by way of~~ ^{Pr} ~~present~~ quashing the order of ~~permission~~ so that the application may be considered for the higher post. In fact, the applicant's Misc. Application for early hearing was also granted. Inspite of that it is found that the counsel has not remained present. This has been the case even ^{kept} in the earlier two hearings on 30.6.94 & 15.12.93. This

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being the third round for hearing, in the absence of the
counsel, the application is dismissed for default.


(Dr. R. K. Saxena)
Member (J)


(K. Ramamoorthy)
Member (A)

Date	Office Report	ORDER
28/9/94		<p>None present for the parties. Adjourned to 29/9/1994.</p> <p><i>DRK</i></p> <p>(Dr. R.K. Saxena) Member (J)</p> <p><i>R</i></p> <p>(K. Ramamoorthy) Member (A)</p>
29.9.1994		<p>ait.</p> <p>By consent the matter is adjourned to 21.11.1994.</p> <p><i>DRK</i></p> <p>(Dr. R.K. Saxena) Member (J)</p> <p><i>R</i></p> <p>(K. Ramamoorthy) Member (A)</p>
21-11-94		<p>ait.</p> <p>HEARD LEARNED ADVOCATE FOR THE APPLICANT AND THE RESPONDENT ORAL ORDER PRONOUNCED IN THE COURT.</p> <p><i>DRK</i></p> <p>(Dr. R.K. Saxena) Member (J)</p> <p><i>RR</i></p> <p>(V. Radhakrishnan) Member (A)</p> <p><i>DRK</i></p> <p>20/11/94</p>

Date	Office Report	ORDER
28/9/94		<p>None present for the parties. Adjourned to 29/9/1994.</p> <p>(Dr.R.K.Saxena) Member (J)</p> <p>(K.Ramamoorthy) Member (A)</p> <p>ait.</p>
29.9.1994.		<p>By consent the matter is adjourned to 21.11.1994.</p> <p>(Dr.R.K.Saxena) Member (J)</p> <p>(K.Ramamoorthy) Member (A)</p> <p>ait.</p>
21-11-94		<p>HEARD LIST OF APPLICANTS FOR THE APPLICATIONS OF THE APPLICANTS ORAL ORDER PRONOUNCED IN OPEN COURT.</p> <p>(Dr. R.K.Saxena) Member (J)</p> <p>(V.Radhakrishnan) Member (A)</p> <p>21-11-94</p>

IN THE CENTRAL ADMINISTRATIVE TRAUNAL
AHMEDABAD BENCH

O.A. No.
~~XXXXXX~~

436 of 1991.

DATE OF DECISION 21.11.1994.

Shri P.M.Sanghani and anr. Petitioner

Shri R.R.Tripathy Advocate for the Petitioner(s)

Versus

Union of India and ors. Respondent

Shri B.R.Kyada Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr.V.Radhakrishnan : Member (A)

The Hon'ble ~~XXX~~ Dr.R.K.Saxena : Member (J)

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

No

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1. Shri P.M.Sanghani,
A/5, Africa Colony,
Main Road,
Behind 5, Saurashtra,
Kala Kendra Society,
Rajkot.
2. Shri Om Prakash Arora,
Quarter No.69/A/1,
Rakhodia Colony,
Rajkot.

...Applicants.

(Advocate : Shri R.R.Tripathy)

Versus

1. Union of India,
Notice to be served through
The General Manager,
Western Railway,
Churchgate,
Bombay - 400 020.
2. Divisional Railway Manager,
Western Railway,
Rajkot Division,
Kothi Compound,
Rajkot.
3. Add. Divisional Railway Manager,
Western Railway,
Kothi Compound,
Rajkot.

...Respondents.

(Advocate : Shri B.R.Kyada)

ORAL JUDGMENT

O.A.NO. 436 OF 1992

Date: 21/11/1994.

Per : Hon'ble Dr.R.K.Saxena : Member (J)

This application has been moved by S/Shri P.M.Sanghani and Shri Om Prakash Arora, challenging the selection order of ~~penal~~ dated 25.5.1992, whereby ^{names of} the applicants were not included but their juniors' ^{had names} _^

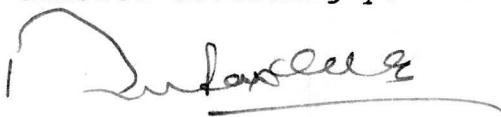
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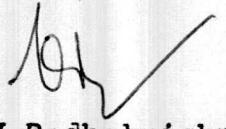
found ⁸
find place therein. The learned counsel for the applicants as well as the respondents drew our attention towards ~~to~~ ^{letter} the circular issued by the General Manager, Western Railway, on 14.8.1992, addressed to the Divisional Railway Manager, Rajkot for rectification of irregularities which were made in selection of Assistant Train Controller. According to this letter the irregularities were found and certain advise was given to the General Manager, and according to the learned counsel for the applicants this advise ought to have been followed by the Divisional Railway Manager, but it was not done. In these circumstances, Shri R.R.Tripathy learned counsel for the applicants urges that the applicants are prepared to make representation to the authorities concerned for consideration of their case in the light of this letter of General Manager, Western Railway, dated 14.8.1992. It is also contended on their behalf that if the panel *drawn* ⁸ is re-considered in the light of this letter, the grievance of the applicants may be removed. The applicants are prepared to make a fresh representation within two weeks from this date. On the receipt of

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this representation, the respondents shall dispose them of within a period of six weeks and shall communicate the result to the applicants. The learned counsel for the applicants want to withdraw the application with liberty to move the Tribunal again in case any grievance ~~is~~ still remains there. The application for withdrawal is allowed accordingly. No order as to costs.


(Dr. R.K. Saxena)

Member (J)


(V. Radhakrishnan)
Member (A)

ait.