

Serial
No. of
Order

Date of
Order

Order with Signature

3 19.10.2000

Learned counsel for the petitioner Shri A.K.Choudhury and his Associates are not present. No request has there been made on their behalf seeking adjournment. In this 1994 matter pleadings have been completed long ago. In view of this it is not possible to drag on the matter indefinitely. We have, therefore, heard Shri B.Pal, the learned senior counsel appearing for the Railways and also perused the records.

For the purpose of considering this Application it is not necessary to go into too many facts of this case. The admitted position is that in response to an advertisement the petitioner appeared at the examination and viva voce test conducted by the Railway Recruitment Board for the post of N.T.P.C. (Ticket Collector) and was ultimately selected. The applicant was informed in letter dated 13.11.1990 (Annexure-4) that he has been selected for the above said post and his name has been recommended to S.E.Railway Administration for issuing appointment order. But as no appointment order was issued to him in spite of his filing representation the applicant approached this Tribunal in this O.A. with a prayer that direction be issued to the Railway authorities to issue order of appointment to him in pursuance of the letter dated 13.11.1990 of the Railway Recruitment Board vide Annexure-4.

Respondents in their counter have stated that at time of the applicant's name was recommended by the Railway Recruitment Board for appointment, there was no vacancy in the post of Trainee Trains Clerk, against which post the applicant had been selected and that is why immediately the applicant

Defects removed

For Requisition

Reg.

For Admission & Interview

Bench

Notice may be sent to all Respondents by Regt. Post / A-D.

11/1/94

SO(5)

Counter not filed. A2 from R-1 & 3 returned. A2 from R-2 not returned.

For order Pl

6/2/95

BENCH

3 OA 411/94

3

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...		<p>could not be offered appointment. But subsequently some vacancies came into existence and the applicant has been offered appointment by the D.R.M., Kharagpur and the applicant has reported for medical examination and other tests. It has been submitted by the respondents that in case the applicant clears the medical test he would be sent for training and after completion of such training he would be appointed to the post of Trainee Trains Clerk. The counter has been filed in June/95 and thereafter the matter has not been taken up. In view of this it is not possible to know if the applicant has cleared the medical test as also the training and joined the post. But as the prayer of the applicant is for direction to Respondents to issue offer of appointment and such offer of appointment having been issued in favour of the applicant, the O.A.'s has become infructuous and is disposed of accordingly, but without any order as to costs.</p>	<p>Order Dt. 14.2.95</p> <p>Await A.D. from R-2. Put up on 24.2.95 for further orders.</p> <p>For Registrar.</p> <p>above order referred to. RD of R-2 returned. Counter not filed. For orders Pl.</p> <p>By 22/2/95 Regs.</p> <p>Order Dt. 24.2.95</p> <p>Four weeks time is granted to file counter.</p> <p>For Registrar.</p> <p>Counter not filed. For further orders Pl.</p> <p>By 22/3/95 Regs.</p> <p>Order Dt. 18.4.95</p> <p>Three weeks time is granted to file counter.</p> <p>For Registrar.</p> <p>Counter not filed. For orders Pl. Regs.</p>

P. K. S. Jha
VICE-CHAIRMAN

MEMBER (JUDICIAL)