

## NOTES OF THE REGISTRY

## ORDERS OF THE TRIBUNAL

Order dt. 22.09.2003

Applicants, 11 in number, have filed the present Original Application under Section-19 of the Administrative Tribunals Act, 1985; for they were not empanelled for selection of ( Group-B) A.E.N. posts/vacancies in the Railways.

2. In the counter filed by the Respondents Railways, it has been disclosed that the Applicants were not called to the written examinations, since they having comparatively low seniority position were not within the zone of consideration and that their seniority position were fixed at 340A, 301 L, 317A, 345A, 301 I, 301 J, 343A, 301 C, 301D, 317 B and 356A respectively. It has also been disclosed in the said counter that the last eligible unreserved candidate( who was in the zone of consideration) called to the test was one P.K.S. Rajput ; whose seniority position was 274 and that there were many other staff, who were senior to the Applicants, not called to the said written examination; since they did not come within the zone of consideration having low seniority position.

3. The aforesaid rival stand taken in the counter having not been controverted by the Applicants( even, by way of filing any rejoinder) there remains, virtually, nothing to be adjudicated in this case.

4. Having heard Mr. S.C. Samantray, learned counsel appearing for the Applicants and <sup>Mr.</sup> B.K. Bal learned counsel appearing for the Railways, we are satisfied that the Applicants were not within the zone of consideration and therefore their cases have not been considered for being taken to A.E.N.posts. The last candidate(within the zone of consideration) being at serial No. 274 of the combined list and the Applicants being below serial number-301 of that list, non-consideration of the Applicants has not really affected any of their rights and,

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Free copies of final  
order dt. 22-9-03  
issued to counsel for  
both sides.

RS  
1.10.03

S.O.(J)

therefore, the present Original Application  
is dismissed. No costs.

5. Send copies of this order to the  
parties and free copies be given to the  
counsel for both parties.

Vice Chairman

Member(Judicial)