

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

Ref. O.R. dt. 14.10.03 and
dt. 10.11.03

(2) For hearing
(2) Notice issued
to the applicant
on 22.10.03 by Regd/AD
served on 27.10.03
as per letter dt. 22.10.04
of postal authority
at flag-A'

Ds
29.1.04

Bench

Ref. O.R. dt. 14.10.03 and
Or. dt. 10.11.03

(2) Notice issued to the
applicant on 22.10.03
by Regd/AD served
on 27.10.03 as per
letter dt. 22.10.04 of
postal authority at
Flag-A'

(2) for hearing

Ds
5.2.04

Bench

Order dated 6.2.2004

In this case the applicants have sought for a direction to Respondents declaring them to be eligible for appearing in the selection test for appointment to the posts of Assistant Engineer(AENs). It is stated in the application that the applicants have joined in service (as per the schedule given at Page-4 of the O.A.) from the respective dates. There was an advertisement issued by the Respondents for filling up non-fortuious posts for the applicants who have completed five years of regular service. Applicants were not invited for appearing in the said examination. Therefore, they were aggrieved for such action of the Respondents and filed this case for appropriate direction.

Learned counsel appearing for the Respondents has stated that none of the applicants has/had the requisite qualifications to appear in the selection test since they have not completed five years of regular service (non-¹⁹⁹⁷ fortuious as on 1.1.1996) and since they were not eligible, they were not called to the selection test and others who were eligible they appeared and the final list has already been published, and therefore, this application itself is infructuous since the selection is already over.

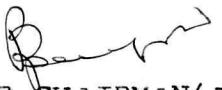
^{Thus}
Since no relief could be given to the applicant as in the meanwhile the selection test is already over. But, however, in future

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as and when such vacancies shall arise and if the applicants ~~were~~^{are} found to be eligible to appear in the said selection test, they can also be invited.

With the above observation, the application is dismissed. No costs.

Shri D.N.Mishra, learned counsel for the Respondents is present and heard.


VICE-CHAIRMAN (J)


VICE-CHAIRMAN (A)

Four copies offered
Order d. 6.2.04
(Issued to counsel)
for both sides.

22
25/2/04


Witness
S.O.D