

14. order Dated 28.09.99

for hearing

PS 13/1903

Bench

In view of order No. 13. dated 13.09.99, no further time can be allowed for filing rejoinder.

posted to 16.11.99. for hearing and final disposal at the stage of Admission.

vice - *Filed on 28.10.99*

Order dt. 14.10.2003.

None appears for the Applicants, nor the Applicants were present when called.

The Applicants, by filing this Original Application have challenged the process of written test held by the Respondents for recruitment of Gangman in Group-D category in Engineering Department of Sambalpur Division, South Eastern Railways, as well as against the process of recruitment for the post of Token Porter, Operating Department, Sambalpur Division in the South Eastern Railways on the ground that the written test was held in illegal and malafide manner and lot of criticisms/adverse comments on the conduct of the examination had appeared in the local news journals like Sambad dt. 11.9.98, and Manavedi. They further alleged that in the Sambad dt. 11.9.98, it was reported that a C.B.I. enquiry had been ordered to look into the irregularities in the conduct of the written test. On the above grounds, they have submitted that the Respondents be directed to hold a fresh selection for appointment of Group-D category post in Engineering Department of Sambalpur Division of S.E. Railways.

The Respondents have contested the allegations made by the Applicant by filing counter. They have averred that the examination was conducted in the laid down procedure and there has ^{been} no infraction of the guidelines on the subject. They have also rebutted that C.B.I. was

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

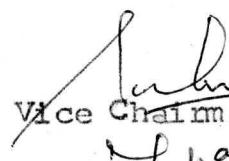
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 Free copies of final
 order dt. 14.10.03 issued
 to counsel for both sides.

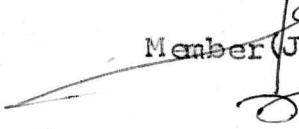
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enquiring into the allegations of malpractice in examination. In the end, they have submitted that the allegations brought out in the Original Application are unfounded and are devoid of merit.

We have heard Mr. D.N. Mishra, learned Standing Counsel for the Railways and perused the records placed before us. Apart from the fact that the allegations made by the Applicants in this Original Application are very sweeping and general in nature, No materials has been placed before us to appreciate the grievance of the Applicants. None also appears for the Applicants nor they were present in the court when called to press the point in support of their allegations made in this Original Application nor they have asked for any adjournment to prosecute the matter further. In the circumstance, we feel that no purpose will be served by ~~be solved to~~ give further opportunity to them to submit any ~~other~~ points. The Respondents have elaborately stated in their counter as also during oral argument by the learned Standing Counsel for the Railways, the procedure followed by them in conduct of the test. In the circumstance, we find no merit in this Original Application, which is accordingly dismissed. No costs.


 Vice Chairman 14.10.03


 Member (J) 14.10.03