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O.A. No. 286/2007

Order dated: 20.03.2008.

CORAM:

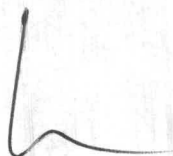
The Hon'ble Mr. K.V.Sachidanandan, Vice-Chairman
And
The Hon'ble Mr. C.R. Mohapatra, Member (Admn.)

Being aggrieved by the order of rejection of the candidature of applicant to appear in the selection test conducted by the Respondents pursuant to the advertisement dated 29th August, 2007 for filing up of certain Gr. D posts in the Railways, the Applicant has filed this Original Application under section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:

- “(i) The Original Application be admitted, the records be called for, after hearing both the parties the impugned order dated 24.07.2007 be quashed;
- (ii) Necessary direction be issued to the Respondents to consider the application submitted the present applicant for the post of Junior Trackman along with others and accordingly the applicant be appointed as Junior Trackman with all consequential service benefits.”

When the matter was taken up for hearing,

Learned Standing Counsel for the Respondents, in presence of Learned Counsel for the Applicant submitted



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that the competence of the Respondents in rejecting the applications of candidates who do not fulfill the required conditions stipulated in the advertisement have been held good by this Tribunal in OA Nos. 360/07, 361/07 and others disposed of in a common order dated 5th March, 2008 and as the present OA is identical the same may be dismissed. In this context, we have called for the records and perused the same. It is found that the issues involved and decided in that OAs are identical to the issue involved in this OA.

In view of the above, we find no reason to differ from the view already taken by the Division Bench of this Tribunal in those cases and therefore, in the light of the decisions taken in earlier OAs, this OA is dismissed. No costs.


Member (A)


Vice-Chairman