

7

O.A.No. 351 of 2007

Order dated 7.12.2009

CORAM:

HON'BLE SHRI JUSTICE K.THANKAPPAN, JUDICIAL MEMBER
AND
HON'BLE SHRI C.R.MOHAPATRA, ADMINISTRATIVE MEMBER

.....

1. Heard the learned counsel for the parties.
2. In this Original Application the applicant has prayed for quashing Annexure A/3 dated 14.8.2007, whereby his candidature for the post of Jr.Trackman and Helper II has been rejected on the grounds that two proper marks of physical identification had not been given by him.
3. When this matter came up for admission, as per order dated 27.9.2007, while directing notice, this Tribunal also directed the Respondent-Railways to permit the applicant to sit in the examination on provisional basis. At the same time, this Tribunal also directed that in so far as the result of the applicant is concerned, as soon as the results are published in respect of others, the Respondents may put the result in a sealed cover and present it before the Court for further orders. It is in this background, the Respondents have produced the result in a sealed cover for perusal of this Tribunal, though they have filed their counter to the O.A.




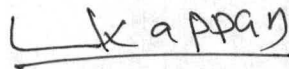
8

-2-

3. We have perused the counter as well as the result of the applicant, kept in a sealed cover. We find that the present applicant Subash Chandra Sethi, bearing Roll No. 4190770 did not qualify for physical efficiency test shortlisting.

4. Since the prayer of the applicant has already been met and the applicant has not qualified for physical efficiency test shortlisting, in our considered opinion, there remains nothing more to be adjudicated by this Tribunal. Accordingly, the O.A. having become infructuous, is disposed of. No costs.


ADMINISTRATIVE MEMBER


JUDICIAL MEMBER