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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A.No.260/00887/2014
Cuttack this the 9th day of December, 2014

CORAM
HON'BLE SHRI R.C.MISRA, MEMBER(A)

Prasana Kumar Swain
Aged about 51 years
S/o. Ananta Charan Swain
Resident of Plot No.3434,
Badaga Jharana Sahi,
PO-Badagada Brit Colony
PS-Badagada
Dist-Khurda-751 018
Odisha

...Applicant

By the Advocate(s)-Mr.N.R.Routray

-VERSUS-

Union of Indi represented through

1. The General Manager
East Coast Railway
E.Co.R.Sadan
Chandrasekharpur
Bhubaneswar
Dist-Khurda

2. The Chairman
Railway Recruitment Board
D-79/80
Rail Vihar
Chandrasekharpur
Bhubaneswar-751 023
Dist-Khurda

...Respondents

By the Advocate(s)-Mr.T.Rath

ORDER(Oral)

R.C.MISRA, MEMBER(A):

Heard Shri N.R.Routray, learned counsel for the applicant and Shri T.Rath, learned Standing Counsel for the Respondent-Railways.



2. Applicant has approached this Tribunal on the ground that he being an Ex-serviceman had applied for the post of CC/TC in response to a notification issued by the Railway Recruitment Board, Bhubaneswar and he appeared in the preliminary examination held on 22.9.2013. After clearing the preliminary examination, he was called upon to appear in the main examination which was held on 19.1.2014. He was declared qualified in the main examination and was called for document verification on 28.7.2014. He not only appeared along with all the original documents as required, but also produced 'No Objection Certificate' from his employer. However, when the results of the recruitment examination ^{were} ~~was~~ published on 27.8.2014, applicant did not find his name in the list of successful candidates. Being aggrieved, applicant has made a representation to the Chairman, Railway Recruitment Board, Bhubaneswar (Res.No.2) in which he having submitted all the facts of the case has made a prayer that the grounds of his non selection to the post in question ^{cated} ~~may be communicated~~ to him as early as possible. This representation was submitted ^{on} ~~on~~ 5.11.2014 and according to learned counsel for the applicant, so far, no communication has been received from Respondent No.2 regarding the reasons of non-selection.

3. Per contra, Shri T.Rath, learned Standing Counsel submitted that the reason for non-selection of the applicant is apparently because of the fact that he has already been employed against ex-serviceman quota, as averred in Paragraph-4.7 of the O.A.

4. However, the facts of the case reveal that there is a representation made by the applicant to Respondent No.2 dated 5.11.2014 which is said to be



pending with the concerned authorities. The applicant is entitled to know the reasons for his non-selection from the Respondent No.2 and therefore, without expressing any view on the merits of the case, I direct the Chairman, Railway Recruitment Board, (Res.No.2) to consider the pending representation and dispose it of through a reasoned and speaking order under intimation to the applicant, within a period of four weeks from the date of receipt of this order.

5. With the above observation and direction, this O.A. is disposed of at the stage of admission itself. No costs.

6. As prayed for by Shri Routray, send a copy of this order along with paper book to Respondent No.2 at the cost of the applicant for which postal requisites be deposited by 10.12.2014. Free copy of this order be made over to learned counsel for both the sides.


(R.C.MISRA)
MEMBER(A)

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