

13

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

JODHPUR BENCH : JODHPUR

Date of decision : 18.3.1998

O.A. No. 547/1995

1. Shri Mani Ram S/o. Shri Motu Ram aged about 52 years, resident of near Indian Oil Depot, Sharam Vibhag Road, H.No. 371, Hanumangarh Jn., at present employed on the post of Driver Goods in Loco Shed, Hanumangarh, Northern Railway.
2. Amar Singh 'P' S/o. Shri Prem Singh, aged about 40 years resident of near Singh Sagar Talab, Near Hariram Mandir, Sarvodaya Basti, Bikaner, at present employed on the post of Goods Driver in Loco Shed, Hanumangarh, Northern Railway.

... Applicants.

v e r s u s

1. Union of India through General Manager, Northern Railway, Baroda House, New Delhi.
2. Divisional Personnel Officer, Northern Railway, Bikaner Division, Bikaner.

... Respondents.

Mr. J.K. Kaushik, Counsel for the applicants.

Mr. V.D. Vyas, Counsel for the respondents.

CORAM:

Hon'ble Mr. Gopal Krishna, Vice Chairman.

Hon'ble Mr. Gopal Singh, Administrative Member.

O R D E R

(Per Hon'ble Mr. Gopal Singh, Administrative Member)

Applicants, Mani Ram and Amar Singh, have filed this application under Section 19 of the Administrative Tribunals Act, 1985, praying for inclusion of their names in the impugned order dated 1.12.1995 (Annexure A/1) and consider their candidature for selection/promotion to the post of Passenger Driver.

2. By way of an interim order, this Tribunal had issued a direction on 29.12.1995 that the applicants shall be allowed to appear provisionally in the selection test for the post of Driver Passenger, to be held pursuant to the Notification dated 1.12.1995 (Annexure A/1), if persons junior to the applicants in the panel of Goods Driver issued on 7.6.1995 (Annexure A/3), have been allowed to appear in this selection. This interim direction was issued subject to the condition that if persons junior to the applicants in the panel

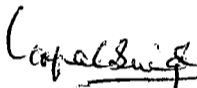
Gopal Singh

of Goods Driver have been allowed to appear in the selection test, only then the applicants shall be permitted to appear in the said test provisionally. During the course of hearing, it has been brought to our notice by the learned counsel for the applicants that the applicants have since appeared in the selection test for the post of Passenger Driver and their results have been kept in a sealed cover.

3. We have heard the learned counsel for the parties and have perused the records of the case.

4. Since the applicants have^{been} permitted to appear in the selection test, we presume that the juniors to the applicants have already been allowed to appear in the said selection test. We, however, feel that the present application be disposed of with a direction to the respondents to declare the results of the applicants and in case the applicants are found successful in the selection test for the post of Passenger Driver, they should be given the benefits due to them at par with their juniors within a period of three months from the date of receipt of a copy of this order.

5. The O.A. stands disposed of accordingly with no order as to costs.


(GOPAL SINGH)
Adm. Member

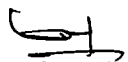

(GOPAL KRISHNA)
Vice Chairman

cvr.

Recd 10/11/1984
24/11/84

8/10/84
86/10/1984

Part II and III destroyed
in my presence on 8.4.2004
under the supervision of
section officer (J) as per
order dated 22.1.2003


Section officer (Record)