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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JODHPUR BENCH,
J_O_D_H_P_U_R.

Date of Order : 28.04.2000

O.A. No. 215/96

1. Mahesh Chand S/O Shri Rawat Ramji aged 22 years
2. Dau Lal S/O Shri Bhola Ramji aged 23 years
3. Bhanu Pratap S/O Shri Rawat Ramji aged 24 years &
4. Prakash Bheel S/O Shri Bhera Ramji aged 21 years

All are R/O Jodhpur C/O Mahesh Chand S/O Shri Rawat
Ramji Nagauri Gate, Kaga Road, Bheel Basti.



... Applicants

Vs

1. Union of India through General Manager,
Northern Railway, Baroda House, New Delhi.
2. Divisional Railway Manager, Northern Railway,
Jodhpur Division, Jodhpur.
3. Deputy Chief Mechanical Engineer, (Railway Workshop)
Northern Railway, Jodhpur Division, Jodhpur.

... Respondents

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

Mr. S.S. Vyas, Counsel for the Respondents.

CORAM :

Hon'ble Mr. Justice B.S. Raikote, Vice Chairman

Hon'ble Mr. Gopal Singh, Administrative Member

O_R_D_E_R

(PER HON'BLE MR. GOPAL SINGH, ADM. MEMBER)

In this application under Section 19 of the
Administrative Tribunals Act, 1985, applicants have prayed

Gopal Singh

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for a direction to the respondents to include the name of next eligible persons in the merit against the vacancies caused due to deletion of names of six persons on the panel of Artisan Khallasi.

2. Applicants' case is that the respondents conducted a selection test for forty posts of Artisan Khallasi reserved for Scheduled Tribe category in December, 1992, and the applicants had also participated in the selection. However, the applicants' name did not find place on the panel of the successful candidates. On complaints that some of the successful candidates did not belong to Scheduled Tribe category, the matter was investigation and names of six persons were deleted from the panel. It is the contention of the applicants that the respondents have not added fresh six names on panel in place of the names of six persons deleted from the panel. Therefore, this Original Application.

3. Notices were issued to the respondents and in the counter it has been stated that from amongst 191 persons who appeared in the selection test, the Selection Committee prepared a panel of only 39 candidates and the applicants were not found fit for inclusion on the panel. Further, names of six candidates were removed from the panel consequent upon investigations.

4. We have heard the learned Counsel for the parties and perused the record of the case.

5. Apparently, the applicants are labouring under the impression that their names would be finding place in merit list, next to the 39 candidates initially selected

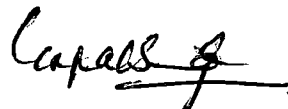
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and placed on the panel and, therefore, they can get the benefit of appointment on the post of Artisan Khallasi. In the counter, it has been clearly stated by the respondents that only 39 candidates were found fit and placed on the panel. It has also be stated by the respondents that the applicants were not found fit and, therefore, their names did not find place on the panel. In this view of the matter the present application assumes the shape of 'Public Interest Litigation' because even if the prayer of applicants is granted, they will not get any benefit. In effect the applicants are fighting for the cause of others. We are, therefore, of the view that the applicants do not have any locus standi in the matter and the O.A. deserves to be dismissed.

6. The Original Application is accordingly dismissed with no order as to costs.


(GOPAL SINGH)
Adm. Member


(B.S. RAIKOTE)
Vice Chairman

J

Possible member (B) } 10/5/57
Laird

Recd. con for
S. S. Vyas
215 12 n
Laird (S. S. Vyas)
Delivered

ALCOA
m215
J. K. Baughnicks
Delivered

Part II and III destroyed
in my presence on 19-10-56
under the supervision of
section officer (1) as per
order dated 29/8/56

Section officer (Recd)