

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH

OA 588 of 1997

Present : Hon'ble Mr. Sarweshwar Jha, Administrative Member  
Hon'ble Mr. M.K. Gupta, Judicial Member

Malay Mallick & 14 Others

- VS -

- 1) Union of India, service through the general Manager, South Eastern Railway, Garden Reach Road, Calcutta.
- 2) The Chief Personnel Officer, South Eastern Railway, Garden Reach, Calcutta.
- 3) The Chief Commercial Manager, South Eastern Railway, 14th Strand Road, Calcutta.
- 4) The Divisional Railway Manager, South Eastern Railway, Chakradharpur Division, P.O. Chakradharpur, Dist: Singhbhum West.
- 5) The Sr. Divisional Personnel Officer, South Eastern Railway, Chakradharpur Division, Dist: Singhbhum West.

... Respondents

For the Applicants : None

For the Respondents : Mr. E.P. Roy, Counsel

Date of Order : 28-09-2004

ORDER

MR. SARWESHWAR JHA, AM

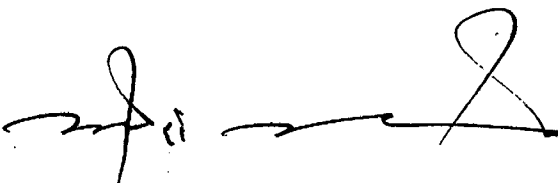
At the very outset, the Ld. Counsel for the respondents has referred to the decision in a similar case as filed by some of the same candidates involved in selection vide O.A. 347 of 1998 decided on 11-10-2000 by Patna Bench of the Tribunal and has submitted that the Hon'ble Tribunal has held that the selection proceedings have been conducted in accordance with prescribed guidelines and, as such, "we do not find any infirmity in the selection process".

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The Hon'ble Tribunal has further held that "in view of the above facts and circumstances of the case, we are of the considered opinion that this O.A. is devoid of merit and is, accordingly, dismissed with no order as to costs".

2. We have gone through the facts of the case as advanced in the O.A. We find that the prayer as made by the applicants in the present O.A. relates to the selection made vide O.M.No.E-1/Comml./Selection/CKG/96-97 dated 21-4-1997 and O.M.No.Comml./105/97/CKG/Promotion dated 2-5-1997 which were the selections under challenge in O.A. 347 of 1998 decided by the Hon'ble Patna Bench on 11-10-2000. Accordingly, the issues as raised in the present O.A. have already been discussed in great detail while disposing of the said O.A. and, therefore, we do not find it appropriate to discuss the matter all over again. Moreover, we find that the Hon'ble Patna Bench has found that the respondents have already complied with the prescribed guidelines while proceeding with the selection in the matter and that no infirmity has been noticed in the selection process by them, and the <sup>same</sup> observation holds good in the present case also.

3. Under the circumstances, we are also of the view that the matter being identical and the reliefs prayed for also being similar, we do not find any merit in the present O.A. Therefore, we take a view that it is fit to be dismissed. It is ordered accordingly, with no order as to costs.



Member (J)



Member (A)