

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O. A. No. 425 of 1991
T. A. No.

DATE OF DECISION 6-2-1992

James K Antony Applicant (s)

Mr M Ramachandran Advocate for the Applicant (s)

Versus

Union of India & Ors. Respondent (s)

Smt Sumathi Dandapani Advocate for the Respondent (s) 1&2

CORAM :

The Hon'ble Mr. NV KRISHNAN, ADMINISTRATIVE MEMBER

&

The Hon'ble Mr. AV HARIDASAN, JUDICIAL MEMBER

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. To be circulated to all Benches of the Tribunal ?

JUDGEMENT

(Mr AV Haridasan, Judicial Member)

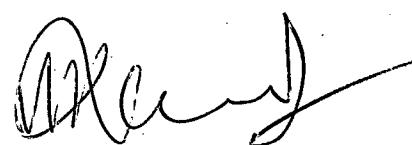
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The applicant, a Senior/Clerk has in this application

challenged the Annexure-I notification on the ground that the
prescription of certain qualification for participation in the
selection process is arbitrary. He has also prayed for an alter-
native relief that it may be declared that he is also entitled
to participate in the selection so long as a person who has
equal or lesser length of service than him in the feeder category
is declared eligible. The applicant had prayed for an interim
relief of being permitted to participate in the selection process
on a provisional basis, subject to the outcome of this O.A. The

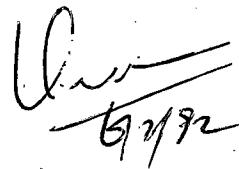
and application was admitted, /the interim relief was granted. The applicant participated in the selection process also.

2. The original application has been resisted by the respondents. They have raised various contentions in the reply statement.

3. Now it has come out that the applicant who has been allowed to participate in the selection process, provisionally, was not successful in the selection. Therefore, the application itself has become infructuous. Whether qualified or not qualified to appear for the examination, the applicant has appeared in the examination and has failed/the same. Therefore, the applicant is not entitled to any relief as claimed by him in this O.A. In the result, the application is dismissed, without any order as to costs.



(AV HARIDASAN)
JUDICIAL MEMBER



(NV KRISHNAN)
ADMVE. MEMBER

6-2-1992

trs