

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O. A. No. 548 of 1993.

DATE OF DECISION 30-3-1993

R. Sujatha _____ Applicant (s)

Mr P Sivan Pillai _____ Advocate for the Applicant (s)

Union of India through the
General Manager, Southern Respondent (s)
Railway, Madras-3 and others

Mr Thomas Mathew Nellimeottil Advocate for the Respondent (s)

CORAM :

The Hon'ble Mr. AV Haridasan, Judicial Member
and

The Hon'ble Mr. R Rangarajan, Administrative Member

1. Whether Reporters of local papers may be allowed to see the Judgement? Y
2. To be referred to the Reporter or not? NO
3. Whether their Lordships wish to see the fair copy of the Judgement? NO
4. To be circulated to all Benches of the Tribunal? NO

JUDGEMENT

Mr AV Haridasan, J.M

The applicant working as a Jamadar Peon in the Reservation Office at Ernakulam South Railway Station was an intending candidate for the recruitment to Group C cadre posts for which an alert notice was issued on 10.12.92 at Annexure A-1. The test was held on 13.2.93. Though the alert notice at Annexure A1 included the name of the applicant also at Sl.4, it is the case of the applicant that the office in which she is working was wrongly shown as Trivandrum Central, as a result of which she did not get information and therefore, she could not participate in the selection test. The applicant has now after coming to know of the holding of the

test on 13.2.93 from one of her colleagues who participated in the selection test, made a representation on 15.2.93 to the Divisional Personnel Officer, Trivandrum requesting that she should also be given a chance to appear in the selection test. Finding no response to this representation, the applicant has filed this O.A. praying that the respondents may be directed to consider the applicant also in the selection for the post of Office Clerk against 33 $\frac{1}{3}$ per cent vacancies for the years ending 31.3.91 and 31.3.92 and to promote her in accordance with law.

2 When the application came up for admission, learned counsel appearing for the respondents gracefully agreed that the application can now be disposed of directing the respondents that if on enquiry it is established that the call letter was not communicated to the applicant, a supplementary test could be held for the applicant and that the result of the selection may be announced only after considering the case of the applicant also. Learned counsel for the applicant agreed that the application can be disposed of in that way.

3 Having heard the counsel on either side, we admit the application and dispose it of directing Respondent-2 to verify the records relating to the selection test and if it is found that the address of the applicant was notice Annexure-A1 resulting wrongly shown ~~in the alert/in non-communication of alert~~ to notice to the applicant, hold a supplementary test for the applicant within a period of two months from the date of communication of this judgment and then only announce

the result of the selection held pursuant to the notice dated 30.12.92. at Annexure-A1.

4 There will be no order as to costs.

5 Copy of the order be given on priority.


(R Rangarajan)

Administrative Member


(AV Haridasan)

Judicial Member

30-3-1993