

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.NO.573 OF 2007

Monday, this the 1st day of September, 2008.

CORAM:

**HON'BLE Mr. GEORGE PARACKEN, JUDICIAL MEMBER
HON'BLE Dr. K.S.SUGATHAN, ADMINISTRATIVE MEMBER**

K.Krishnakumar
Krishnalayam
P.O.Kappad, Kannur - 670 006

Applicant

(By Advocate Mr. V.Ramkumar Nambiar - (Not present))
V.

1. The Chairman
Railway Recruitment Board
18 - Millers Road
Bangalore - 560 046

2. Union of India represented by its Secretary
Department of Railways
New Delhi

Respondents

(By Advocate Ms.P.K.Nandini)

The application having been heard on 01.09.2008, the Tribunal on the same day delivered the following:

O R D E R

HON'BLE Mr. GEORGE PARACKEN, JUDICIAL MEMBER

The applicant is aggrieved by Annexure A-17 letter of the Railway Recruitment Board, Bangalore issued to him in pursuance of the orders of this Tribunal dated 14.06.2007 in OA 384/2007 (Annexure A-15). Respondents have informed him that it was not possible to empanel him for the post of Junior Engineer (II) (P.Way) at that late stage because his candidature has already been cancelled and the next candidate in the order of merit is already empanelled immediately after 22.11.2006. He challenged said Annexure A-17 letter in this OA seeking the following reliefs:-

i. to call for the Original records of Annexure A-17 order dated 16.07.2007 of the 1st respondent and set aside the same in the interest of justice;

- ii. to declare that the applicant had produced his certificates before 1st respondent within the prescribed time fixed by the 1st respondent and that there was no necessity for personal presence thereafter;
- iii. to direct the 1st respondent to consider the claim of the applicant afresh as though it is within time and grant him a posting in the interest of justice;
- iv. such other relief as may be prayed for and this Tribunal may deem fit to grant.
- v. grant the costs of this Original Application."

2. Counsel for respondents filed a reply enclosing therewith Annexure R-1 letter of the Railway Recruitment Board (RRB for short) dated 25.09.2007 issued to the Chief Personnel Officer (CPO for short), South Western Railway, Hubli sending therewith the replacement paper (OBC) of the applicant in place of P.Balaselvan (OBC) who did not report for appointment as junior Engineer / Grade II (P-Way) in scale of Rs.5000-8000 from the panel drawn vide E.N.No.CEN 1/2006 category No.6. The RRB has directed the CPO to scrutiny the application of the Applicant and his original certificates for educational qualifications, caste, Date of birth etc. at his level before the offer of appointment was issued to him. Counsel for respondents has submitted that the aforesaid Annexure R-1 letter would satisfy the applicant as it would fulfill his prayers in this O.A.

3. In the above facts and circumstances, this OA is dismissed as infructuous. There shall be no order as to costs.

Dated, the 1st September, 2008.



Dr.K.S.SUGATHAN
ADMINISTRATIVE MEMBER



GEORGE PARACKEN
JUDICIAL MEMBER