

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. NO. 106 OF 2011

Friday, this the 18th day of February, 2011

CORAM:

HON'BLE Mr.JUSTICE P.R.RAMAN, JUDICIAL MEMBER
HON'BLE Mr. K.GEORGE JOSEPH, ADMINISTRATIVE MEMBER

1. Thankachan
Ad-hoc Ticket Examiner
SMR Office, Kollam
2. George F.Carvalho
Ad-hoc Ticket Examiner
SMR Office, Kollam
3. K.Soman
Ad-hoc Ticket Examiner
SMR Office, Kollam

... Applicants

(By Advocate Mr. N.Radhakrishnan)

versus

1. The Senior Divisional Personnel Officer
Southern Railway
Divisional Office, Trivandrum – 14
2. The Chief Personnel Officer
Southern Railway, Park Town
Chennai – 3
3. Union of India through the General manager
Southern Railway, Park Town
Chennai - 3

... Respondents

(By Advocate Mr.Thomas Mathew Nellimoottil)

The application having been heard on 18.02.2011, the Tribunal on the same day delivered the following:

ORDER

HON'BLE Mr.JUSTICE P.R.RAMAN, JUDICIAL MEMBER

Applicants are some of the Party respondents in OA 146/06 governed by Annexure A-1 order. The selection of the party respondents in that OA was under challenge. Eventually the selection of the applicant

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and other party respondents were set aside and the Tribunal observed that " respondents are at liberty to allow such reverted employees to continue on ad-hoc basis, if necessary till the vacancies in the subsequent years are filled. They would also be entitled to participate in the selection if they are not disqualified otherwise."

2. Accordingly, the applicants are continuing on ad-hoc basis as permitted by the order at Annexure A-1. Now the present OA has been filed for age relaxation to participate in the Examination. In the light of the specific order, as quoted above, if the applicants are dis-qualified they will not be entitled to participate in the Examination. The applicants possibly could have filed a separate OA to have the prayer amended or review of Annexure A-1. At this stage, Mr.N.Radhakrishnan, learned counsel for applicant sought to withdraw the OA without prejudice to his right to file a review application.

2. The present OA is not maintainable. We **dismiss** the same. So, however, this will not prejudice the applicants right, if any, to seek review. No costs.

Dated, the 18th February, 2011.


K GEORGE JOSEPH
ADMINISTRATIVE MEMBER


JUSTICE P.R.RAMAN
JUDICIAL MEMBER

vs