

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A. No. 187 of 1997.

Monday this the 24th day of February 1997.

CORAM:

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

HON'BLE MR. P.V. VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

1. B.R. Govindaraju, Teacher, Railway Mixed Primary School, Salem Junction, residing at: Boothappadi, Pannavadi P.O., Kolathur (Via), Salem (District).
2. K.M. Mohanan, Senior Clerk, Mechanical Branch, Palakkad, (Now working as Data Entry Operator, Divisional Computer Centre, Palakkad, residing at: Pulakkattu Madom, Kattukulam P.O., Thiruvazhiyodu (Via), Palakkad District, Pin: 679 514.
3. M. Jeyakumar, Assistant Master, Railways Mixed Primary School, Podannur, Coimbatore-641 023, residing at: 60, Railway Colony, Podanur, Coimbatore-641 023.
4. V. Nagarajan, Senior Clerk/CWM/O/S & T/W/P T J., residing at: 36-A, Parattai, Ammon Koil Street, Perur Post, Coimbatore District, Pin- 641 010. .. Applicants

(By Advocate Shri M.R. Rajendran Nair(represented)

vs.

1. Chief Personnel Officer, Southern Railway, Madras.
2. Divisional Personal Officer, Palakkad Division, Southern Railway, Palakkad. .. Respondents

(By Advocate Smt. Sumathi Dandapani(represented)

The application having been heard on 24th February, 1997, the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

The grievance of the applicants 1 to 4 in the original application is that though they have qualified in the written examination and had been called for viva voce, respondents for no reason cancelled the selection process and issued a notification commencing fresh process of selection.

2. When the application came up for hearing on 19.2.97, we directed counsel of the respondents to get instructions in the matter and to tell us as to why it was felt necessary to cancel the initial selection process midway and to start a fresh process of selection by the impugned order Annexure A-11. The learned counsel for the respondents has produced for our perusal the proceedings which led to the decision to cancel the process of selection midway. We are satisfied that the selection was cancelled for a valid reason. A person who has participated in a selection process need not be given a notice if a competent authority for valid reasons decides to cancel the selection as has been held in Biswa Ranjan Sahoo & Ors. Vs. Sushanta Kumar Dinda and Ors. (JT 1996 (6) SC 515) and Hanuman Prasad and Ors. Vs. Union of India and another, (JT 1996 (8) SC 510).

3. As no legal right of the applicant has been violated by the respondents in taking steps to re-do the selection process we are of the considered view that the

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applicants do not have a legitimate grievance in this. The application is rejected under Section 19(3) of the Administrative Tribunals Act, 1985. No costs.

Dated, the 24th February 1997.

P.V. Venkatakrishnan
P.V. VENKATAKRISHNAN
ADMINISTRATIVE MEMBER

A.V. Haridasan
A.V. HARIDASAN
VICE CHAIRMAN

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LIST OF ANNEXURE

1. Annexure A-11: True copy of the Order No.P(GS) 608/XII/I/Vol.X dated 3.1.1997 issued by the Ist respondent.
