

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM

O. A. No. 290/89 199
~~XXXXXX~~

DATE OF DECISION 18.7.1990

M Mani Applicant (s)

M/s Chandrasekharan &
Chandrasekhara Menon Advocate for the Applicant (s)
Versus

Union of India rep. by Respondent (s)
General Manager, Southern
Railway Hqrs., Madras & 2 Ors.

Smt. Sumathi Dandapani Advocate for the Respondent (s)

CORAM:

The Hon'ble Mr. S.P. Mukerji - Vice Chairman

and

The Hon'ble Mr. A.V. Haridasan - Judicial Member

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

JUDGEMENT

(Mr. A.V. Haridasan, Judicial Member)

In this application filed under Section 19 of the Administrative Tribunals Act, the applicant a person belonging to the Scheduled Caste, who was working as Telecommunication Mechanic, Grade II in the office of the third respondent has prayed that, he may be given the benefit of the order dated 10th July, 1985 w.e.f. 1.1.1985 selecting him for the trade test for the post of Telecommunication Mechanic, Grade I considering ^{him} ~~the case~~ as a member of the Scheduled Caste.

...2/-

2. The application has been opposed by the respondents. They have also filed a reply statement. But when the matter came up for hearing the learned counsel for the respondents brought to our notice that the applicant has already been trade tested on 25.5.1990 and has been appointed as Telecommunication Mechanic, Grade I at Trivandrum by order No. 33/90/S&T dated 2nd July, 1990. The learned counsel for the respondents submitted that as the grievance of the applicant has been substantially met, the application may be closed as it has become infructuous. The learned counsel for the applicant submits that, even though he has been trade tested on a later date than ^{what when} he was really entitled to be tested, the question of seniority among the Telecommunication Mechanic, Grade I still would remain to be determined. We are convinced that the interest of justice will be met if a direction is given to the second respondent to dispose of the representation to be submitted by the applicant ^{in that behalf} within 15 days from today, and within a period of 2 months from the date of receipt of such representation.

3. In the result, the application is closed with the above direction.

(A.V.HARIDASAN)
JUDICIAL MEMBER

(S.P.MUKERJI)
VICE CHAIRMAN

18.7.1990