

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.348/02

Monday this the 12th day of July 2004

C O R A M :

HON'BLE MR. A.V.HARIDASAN, VICE CHAIRMAN
HON'BLE MR. H.P.DAS, ADMINISTRATIVE MEMBER

P.S.Madhu,
S/o.Sankara Narayanan,
Technician Gr.III (Mechanical),
Diesel Loco Shed, Southern Railway,
Ernakulam.

Applicant

(By Advocate Mr.T.C.Govindaswamy)

Versus

1. Union of India represented by
the General Manager,
Southern Railway,
Head Quarters Office,
Park Town P.O., Chennai - 3.
2. The Divisional Railway Manager,
Southern Railway, Trivandrum - 14.
3. The Senior Divisional Personnel Officer,
Southern Railway, Trivandrum Division,
Trivandrum - 14.

Respondents

(By Advocate Mrs.Sumathi Dandapani)

This application having been heard on 12th July 2004 the
Tribunal on the same day delivered the following :

O R D E R

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

The applicant, Technician Gr. III (Mechanical) in the Diesel Loco Shed, Southern Railway, Ernakulam has filed this application aggrieved by the non-inclusion of the applicant's name in Annexure A-6, seeking to set aside Annexure A-6 and for a declaration that he is eligible to be considered for promotion to the post of Diesel Assistants and a direction to the respondents to include the name of the applicant in Annexure A-6 and to consider him for promotion as Diesel Assistants. The candidature

of the applicant was rejected on the ground that he was over-aged.

2. The respondents contest the application. However, on the basis of the interim order dated 23.5.2002 the applicant was permitted to participate in the selection process provisionally subject to the outcome of this application. Now when the application came up for final hearing the applicant states that although the applicant participated in the selection process he did not qualify and therefore the OA having become infructuous may be dismissed as infructuous.

3. In the light of what is stated above the OA is dismissed as infructuous without any order as to costs.

(Dated the 12th day of July 2004)

12.6.24

H.P.DAS
ADMINISTRATIVE MEMBER

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A.V.HARIDASAN
VICE CHAIRMAN