

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 373 of 2002

Monday, this the 7th day of April, 2003

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN
HON'BLE MR. T.N.T. NAYAR, ADMINISTRATIVE MEMBER

1. Francis C.M,
Cheeran House,
Kakkad Parambu, Kunnankulam PO,
Thrissur District, Pin - 680503
 2. Prabhakaran Nair V,
Radha Nivas, Kizhuvilam PO,
Mamam, Attingal,
Trivandrum, Pin - 695104
 3. Dinesan P.K,
Puliyilaparambil House, Nandipulam PO,
Pudukad (via), Thrissur District,
Pin - 680319
-Applicants

[By Advocate Mr. O.D. Sivadas]

Versus

1. Union of India represented by the
General Manager, Southern Railway, Madras.
 2. The Chief Personnel Officer,
Head Quarters, Southern Railway, Madras.
 3. The Divisional Personnel Officer,
Divisional Office, Southern Railway,
Trivandrum.
-Respondents

[By Advocate Mrs Sumathi Dandapani]

The application having been heard on 7-4-2003, the
Tribunal on the same day delivered the following:

O R D E R

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


Pursuant to a notification (Annexure A1) issued by the
Railway Recruitment Board (RRB for short), Chennai, the
applicants applied for selection and appointment to the post of
Khalasis (Group D). They were placed in the merit list after
the written examination and viva voce. Ultimately, they were
selected by the RRB/Chennai and recommended for appointment to

the RRB/Trivandrum Unit which included Palakkad and Trivandrum divisions. The grievance of the applicants is that the respondents are not offering appointment to the applicants, despite the fact that vacancies do exist. Therefore, the applicants have filed this application for the following reliefs:-

- "1. Direct the respondents to appoint the applicants to the post of Khalasi (Group-D) in Southern Railway in any of the offices located at Trivandrum or Palakkad Divisions, in areas covered by Railway Recruitment Board, Trivandrum.
2. Such other and further reliefs which this Hon'ble Tribunal deem just and fit under the circumstances of this case.
3. Grant the applicants the cost of the proceedings."

2. Respondents in the reply statement contend that similar applications filed by similarly situated persons before the Madras Bench and Bangalore Bench of the Tribunal have been dismissed taking note of the fact that the Writ Petition in the matter is pending before the Hon'ble High Court of Karnataka. Respondents contend that in view of the pendency of the Writ Petition, as there is an order of stay of appointment being made on the basis of the results of the RRB, the respondents are not in a position to give appointments.

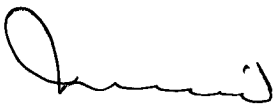
3. Now, when the matter came up for hearing, learned counsel on either side state that the Hon'ble High Court of Karnataka has dismissed the Writ Petition and that there is no embargo in proceeding the process of appointment on the basis of the selection of the RRB. Learned counsel of the respondents states that the applicants on the basis of their merits in the panel would be considered for appointment against the vacancies and orders in that regard would be issued within a reasonable time.



4. Taking note of the fact that there is no embargo now in giving effect to Annexures A7, A8 and A9 orders, the respondents are directed to issue appropriate orders concerning the applicants' appointment without undue delay.

5. The Original Application stands disposed of as above.
No order as to costs.

Monday, this the 7th day of April, 2003



T.N.T. NAYAR
ADMINISTRATIVE MEMBER



A.V. HARIDASAN
VICE CHAIRMAN

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