

CENTRAL ADMINISTRATIVE TRIBUNAL, LUCKNOW BENCH  
LUCKNOW

Lucknow this the 4th day of August, 99.

O.A. No. 414/92

HON. MR.D.C. VERMA, MEMBER(J)

HON. MR. A.K. MISRA, MEMBER(A)

Laxmikant Trivedi, aged about 27 years, son of Dev Narain Trivedi r/o Type II, 97-A, Church Colony, Alambagh, Lucknow.

2. Manjulal aged about 31 years, son of Sri Ram Dass resident of L-555-K/230 Kanusi, Alambagh, Lucknow.

3. Bal Krishna Pal aged about 30 years, son of Sri Suraj Bali pal resident of House No. 236 Gha, Naya Sardari Khera, Alambagh, Lucknow.

4. Sanjeev Kumar aged about 30 years, son of Sri Prem Bahadur, resident of House No. 228, Purana Quila, Lucknow.

5. Vinay Kumar Singh aged about 29 years, son of Sri Ravindar Singh resident of House No. 556-17 C, Sujanpura road, Alambagh, Lucknow.

6. Dhirendra Tewari, aged about 28 years, son of Shri V.K. Tewari, resident of ELEC/1/A, Rose Road, Alambagh, Lucknow.

7. Ashok Kumar aged about 26 years, son of Sri Babulal, resident of Chhota Baraha, Lucknow.


8. Syed Qamar Raza aged about 25 years, son of Sri Syed Mohd. Agha resident of 76-Lazman Prasad Road, Wazirganj, Lucknow.

9. Narendra Singh aged about 25 years, son of Sri G.B. Singh resident of 124, G.D. Building, Mill Road, Mawaiya, Lucknow.

10. Mansa Ram aged about 28 years, son of Sri Ram Nath resident of Village Udaipur Post office Nigohan, District Lucknow.

Applicants.

For applicants: S/Shri A.P. Dubey and Anil Kumar.



versus

1. Union of India through the Secretary, Railway Board, Rail Bhawan, New Delhi.
2. Divisional Railway Manager, Northern Railway, Hazratganj, Lucknow.
3. Dy. Chief Mechanical Engineer, (Workshop) Carriage and Wagon Shop, Northern Railway, Alambagh, Lucknow.

Respondents.

For respondents: Shri Anil Srivastava.

O R D E R (ORAL)

BY D.C. VERMA, MEMBER(J)

By this O.A. the applicants have claimed appointment on the post of Khalasi.

2. The applicants case is that in pursuance of the notification dated 8.9.89 (Anneuxre -1 to the O.A) selection for 150 vacant posts of Khalasi was made and the result was declared on 2.2.90 vide Anneuxre -2 to the O.A. The applicants claim is that a shadow list was prepared in which the name of the applicants were included. An extract of the Shadow list has been annexed as Anneuxre-3 to the O.A.

3. The grievance of the applicants is that though other candidates have been appointed, the applicants were not given appointment. Hence by this O.A. it has been claimed that the applicants be appointed to the post of Khalasi w.e.f. August, 1991 when the last candidate was appointed and joined on the post of Khalasi.

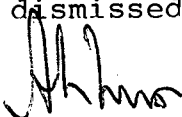
4. The respondents' case is that no shadow list was prepared. The result was declared as per Anneuxre-2 to the O.A. Only the persons named in the list Anneuxre-2 were given appointment. Further, it has been submitted by the respondents, that none of the applicants could

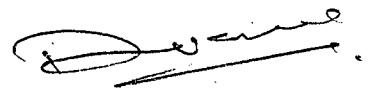


qualify the selection and therefore, their names were not in the panel of selected candidates.

5. We have examined the pleadings on record and we find that the applicants' case that a shadow list was prepared has no basis. Anneuxre-3 is only a typed copy said to be an extract of the panel. It does not indicate from which office this was issued, under whose signature it was issued and on what date it was issued. The name of only 12 candidates are in this list. Of this ~~12~~<sup>2</sup>, 10 are the applicants. The respondents have denied the genuineness of this document (Annexure-3).

6. As per the applicants case, the last candidate appointed in August, 91 was Sachidanand, ~~whereas~~ <sup>of Ann-2.</sup> The name of Sachidanand appears at serial No. 13. <sup>in Ann-2.</sup> The name of the last candidate (general) is Mohd. Zafar Khan at serial No. 112. According to the applicants, the first candidate appointed was Sunil Singh Bajaj who joined on 16th of February, 90. The name of Sunil Singh Bajaj appears at serial No. 1 of the select list Annexure-2 dated 2.2.90. The name of Sunil Singh Bajaj is not in anneuxre-3. This shows that the appointments which were made, were from amongst the candidates whose names appeared in the list contained in Anneuxre-2. None was appointed from the so called shadow list Anneuxre A-3. The applicants, therefore, have no case. The O.A. is dismissed. Costs easy.

  
MEMBER(A)

  
MEMBER(J)

Lucknow; Dated: 4.8.99

Shakeel/