

CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH LUCKNOW

Lucknow, this, the 20th day of March, 2001.

O.A. NO: 530/92 with O.A. NO: 498/91

HON'BLE SMT. LAKSHMI SWAMINATHAN, VC (J)

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

O.A. NO: 530/92

1. Gaya Prasad, aged about 47 years, S/O Shri Chedi, R/O L-10/A, Out-House, Munauwarbagh Colony, Alambagh, Lucknow, presently, working as Skilled Welder, Grade-III in Bridge Workshop, Northern Railway, Charbagh, Lucknow.
2. Prem Chandra, aged about 38 years, S/o Shri Sukhai, R/O L-10/A, Out-House, Manauwarbagh, Colony, Alambagh, Lucknow, presently working as Skilled Welder Grade-III.

Applicants.

(By Advocate Shri Ratnesh Lal learned proxy counsel/^{for} Shri. Anil Kumar)

VERSUS

1. Union of India, through The Chairman, Railway Board, Rail Bhawan, New Delhi.
2. General Manager, Northern Railway, Baroda House, New Delhi.
3. Deputy Chief Engineer (Bridges "W") Northern Railway, Charbagh, Lucknow.
4. Executive Engineer, (Bridges "W"), Northern Railway, Charbagh, Lucknow.

Respondents.

(By Advocate Shri. A. K. Chaturvedi)

O.A. NO: 498/91

1. Ram Tirath, aged about 46 years, S/o ram Asray, resident of Punjab Nagar Railway colony, Alambagh, Lucknow, presently working as Highly Skilled Welder Grade-II in Bridge Workshop Northern Railway Charbagh, Lucknow.

Y/2

2. Amarjeet, aged about 42 years, son of Lotoo, resident of House No. 568/K-27 Krishna Palli, Post Office Chandar Nagar, Alambagh, Lucknow, presently, working as Highly skilled Welder Grade-II in Bridge Workshop Northern Railway Charbagh, Lucknow.

3. Bhawati Prasad, aged about 40 years, son of Mr. Laxman, resident of House No. L-2-B, Out House, Grang Road, Alambagh, Lucknow, presently working as Highly Skilled Welder Grade -II in Bridge Workshop, Northern Railway, Charbagh, Lucknow.

4. Jugal Kishore, aged about 40 years, son of Indu Prakash, resident of Quarter No. II, 82-H, Sleeper Ground Colony, Alambagh, Lucknow, presently working as Highly Skilled welder Grade-II in Bridge Workshop Northern Railway, charbagh, Lucknow.

Applicants.

((By Advocate Shri. Rantesh Lal learned proxy for counsel/Shri. Anil kumar)

VERSUS

1. Union of India, through the Chairman, Railway Board, Rail Bhavan, New Delhi.

2. The General Manager, Northern Railway, borada House, New Delhi.

3. The Chief Engineer (Bridges-W) Head-Quarters Officer, Northern Railway, Borada House, New Delhi.

4. The Deputy Chief Engineer (Bridge-W) Northern railway, Charbagh, Lucknow.

Respondents.

((By Advocate Shri. Praveen Kumar learned proxy for counsel/Shri. Anil Srivastava)

ORDER(ORAL)

By Hon'ble Smt. Lakshmi Swaminathan, VC (J)

The aforesaid two applicants (O.A. NO. 530/92 and O.A. NO. 498/91) which have been tagged together, have been listed at Serial No. 6 for ~~peremptorily~~ hearing.

YB

for

2. Shri. Ratnesh Lal learned proxy counsel/ shri. Anil Kumar. Learned counsel for the applicants submits that he has been instructed to state that after filing of the aforesaid applications, none of the applicants have contacted him for the last several years and he, therefore, has nothing further to submit in the matters. He further submits that in the present applications, the applicants have challenged certain selections conducted in 1992. He has also submitted that he is not aware of any further intervening relevant developments in the case. He, therefore, submits that he has no further submissions to make in the aforesaid two cases.

3. We note that none ~~has~~ ^{been} appearing for the applicants on a number of dates when the cases ~~were~~ listed for example, on 13.5.99 and 9.8.99. We also note/ in the Tribunal's order dated 20.10.92 in O.A. NO. 530/92 and 13.12.91 in O.A. 498/91, it was orderd that the selections/appointments/to be made, ~~will~~ be subject to the final out-come of the O.A. In O.A. 498/91, Shri. A.K. Chaturvedi learned counsel has submitted ^{that} the notice dated 25.9.93 ^{has been issued} ~~the~~ declaring the results of Trade Test for the post of Welder Grade-II of Bridge W/Shop, Lucknow staff. From this notice, it is seen that applicant No.2 Shri. Prem Chand has been declared 'fit' and applicant No.2 Shri. Gaya Prasad has been declared as 'Unfit' (copy placed on record). In O.A. No. 498/91, vide notice dated 18.8.99, all the four candidates have been declared fit in the Trade Test (copy placed on record).

4. Having regard to the aforesaid submissions of the learned counsel for the respondents, it is noticed that among all the applicants in the aforesaid two applications, only applicant No.1, Shri. Gaya Prasad in O.A. NO. 530/92 appears to have been declared unfit in the relevant Trade Test and all the other ~~relevant~~ applicants have been declared fit. It is perhaps for this reason that none of the applicants have been appearing either in person or have they given any further instructions to the learned counsel for the applicants, who has been appering on their behalf.

5. In view of what has been stated above, the O.A.s ~~are~~ disposed of as having become infructuous and in the case of applicant No.1 in O.A. NO. 530/92, it is dismissed for default and non-prosecution. No order as to costs.

6. Let a copy of this order be placed in ^{the} other O.A. NO. 498/91.


(A.K. Misra)

MEMBER(A)


(Smt. Lakshmi Swaminathan)

MEMBER(J)

V.