

AS

CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH

LUCKNOW

T.A. No. 1144/87

(W.P. No. 1966/83)

Prittam Singh Lakhanpal

Petitioner.

versus

Union of India & others

Respondents.

Hon. Mr. Justice U.C. Srivastava, V.C.
Hon. Mr. K. Obayya, Adm. Member.

(Hon. Mr. Justice U.C. Srivastava, V.C.)

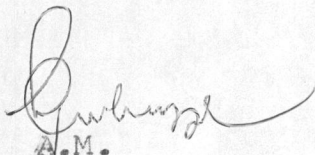
The applicant who was a railway employee,
turn
waited for his/to be promoted as Assistant Superintendent
from the post of Head Clerk, which post he was holding
w.e.f. 1.10.1981. The post of Assistant Superintendent
is a selection post and para 213 of chapter II Section 'B'
of Railway Establishment Manual provides for holding
examination.

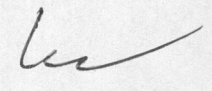
2. The applicant's grievance is that illegality
has been committed in holding examination; in as much as
existing and anticipated vacancies were to be determined
and the candidates to the tune of 4 times to the vacancies
plus 25% should have been called for but only 10 candidates
were called and syllabus was not declared.

3. The respondents have denied the pleas of the
applicant and have pointed out that the applicant was

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temporarily promoted on the post on adhoc basis subject to the final decision of the present writ petition and the subsequent selection and empanelment of the successful candidates for the said post. But the writ petition could not be decided earlier and both the applicant and o.p. No. 24 have retired from service on 28.2.1985 and 31.5.1983 respectively on the post of Assistant Superintendent grade Rs 550-750 and the benefits of the post have been given to them and the present writ petition/T.A. is liable to be dismissed as infructuous. The application has got to be dismissed. Even otherwise we do not find any merit in this application. Accordingly, this T.A. is dismissed. No order as to costs.


A.M.


V.C.

Shakeel/-

Lucknow:Dated 23.10.92