

**CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH
ORIGINAL APPLICATION NO;669/2000
DATED THE 9TH DAY OF SEPT, 2003**

**CORAM: HON'BLE SHRI S.G.DESHMUKH, MEMBER(J)
HON'BLE SHRI S.P.ARYA, MEMBER(A)**

Kum.Ashwini Chandrapal Bansode,
r/o.4-82, Bhimnagar, Krantichowk,
Osmanabad. ... Applicant

By Advocate Shri G.S.Walia

V/s.

1. The Railway Recruitment Board,
Bombay
Through its Chairman / Secretary,
Divisional Office Board, Mumbai
Central Mumbai - 400 008.
2. The General Manager,
Western Railway,
Churchgate.
3. The Railway Ministry,
Through its Secretary,
Rail Bhavan,
New Delhi.

By Advocate Shri V.S.Masurkar ... Respondents

(ORAL)(ORDER)

Per Shri S.G.Deshmukh, Member(J)

The petitioner has filed this application for the following reliefs:-

(A) Rule be issued and writ petition be allowed with costs.

(B) By an appropriate writ, order or directions, the respondents may be directed to hold the examination of the remaining TWO BATCHES i.e. BATCH NO.3rd and 4th, which was scheduled to be held on 13/12/1998, by declaring the date of the examination for the Nontechnical Popular Category posts e.g. Office Clerk, Account Clerk, Ticket Collector, Commercial Clerk, at the earliest.

(B-1) By an appropriate writ, order or directions, the respondents may be directed to declare the result of the examination held on 29/11/1998 for the 1st and 2nd Batch, after holding the examination of remaining candidates i.e. 3rd and 4th Batches, and take further steps

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i.e. issuance of call letter for interview, etc. for recruitment to the posts from Nontechnical Popular Category.

(C) Pending hearing and final disposal of this writ petition, the respondents may be directed to declare the date for holding the examination of 3rd and 4th Batches for Nontechnical Popular Category posts, in pursuance of the advertisement no.1/98, within a period of four weeks.

(C-1) Pending hearing and final disposal of this writ petition, the respondents may be restrained from cancelling the performance of the candidates who had appeared for the examination held in 1st and 2nd Batches on 29/11/1998 (excluding the candidates who have appeared from centre at Urdu High School, Kalyan, Mumbai) and they be restrained from conducting the reexamination of 1st and 2nd Batches, who have already been examined on 29/11/1998.

(D) To grant any other just and suitable relief to which the petitioner is found entitled."

The respondents have appeared and filed their reply and it has been mentioned that examination held on 29/11/1998 has already been cancelled and has notified to all candidates through radio, TV and press and therefore the question of declaring the result does not arise. ^{As} the examination in question has been cancelled, the question of declaring the result does not subsist. ^{become infructuous in} OA does ~~not~~ ^{not} subsist. Hence, OA is disposed of accordingly.


(S.P. ARYA)
MEMBER(A)


(S.G. DESHMUKH)
MEMBER(J)

abp