

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAIA BENCH: :MUMBAI

ORIGINAL APPLICATION NO. 51/2001

THURSDAY, THE 16TH DAY OF AUGUST, 2001

CORAM: SHRI JUSTICE ASHOK AGARWAL.
SHRI G.C. SRIVASTAVA.

CHAIRMAN
MEMBER (A)

Shri Shashi Ranjan,
Indian Inhabitant,
aged 30 years, having permanent
residing at Ashram Road, P.S.
Sadar, District Hazaribag,
(Bihar State) and present residing at
C/o Ralan Kumar Singh,
C/21, Sainath Nivas, Shivaji Nagar,
Opp: Tijamata School, Kurar Village,
Malad (East), Mumbai-400 097.

.. Applicant

By Advocate Shri V.G. Rege.

Versus

1. The Chairman,
Railway Recruitment Board,
having his office at Divisional
Office Compound at Mumbai
Central (W. Rly), Mumbai-8.


2. Union of India,
through the Secretary,
Railway Board, Ministry of Railways,
Rail Bhavan, New delhi-110 001. Respondents

By Advocate Shri V.S. Masurkar.


O R D E R (ORAL)

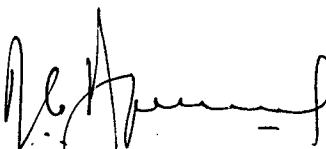
Shri Justice Ashok Agarwal.

.. Chairman.

 In respect of post of Assistant Station Master,
advertised way back in 1995 and results of selection on
All India basis were declared on 07th July, 1997. As
far as the applicant is concerned, it is ~~the case of the~~

applicant that he has successfully passed the written test as also the psychology test. Having passed the aforesaid test, he was called for viva-voce. He was asked to bring along with him the call letters for the written test and psychology test, which he had successfully cleared. Since he had misplaced the said call letters, he had sworn an affidavit declaring the loss of the said call letters. Affidavit submitted by him does not even bear his signature, though the said affidavit has been duly notarised. Applicant has however, not been found fit in the viva-voce. He has accordingly been declared unsuccessful. Aforesaid result of selection have been declared way back on 07th July, 1997. Present OA has been belatedly filed on 15th January, 2001. Present OA, in the circumstances, is hopelessly barred by limitation. More over, even on merits, we find that applicant cannot challenge the results of viva-voce. This is a matter within the exclusive domain of the Selection Committee for assessing his ability. The same cannot be put to judicial scrutiny. Present OA, in the circumstances, we find ~~is~~ devoid of merit and the same is accordingly dismissed in limine. No costs.


(G.C. SRIVASTAVA)
MEMBER (A)


(ASHOK AGARWAL)
CHAIRMAN

are
to Applicant, respondent (s)
on ~~27910-1~~

no

R.P. no. 60707
filed by Applicant,
by circulation.

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1976

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH
MUMBAI

R.A. NO. 60/2001

in
O.A. NO. 51/2001

This the 10th day of December, 2001

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN
HON'BLE SHRI G.C.SRIVASTAVA, MEMBER (A)

Shri Shashi Ranjan

Permanent Address:

Ashram Road

P.S.Sadar, Dist.Hazaribag

(Bihar State)

Present Address:

C/o Ralan Kumar Singh

C/21, Alpna Products

Sainath Nivas

Shivaji Nagar, Opp. Tijamata School

Kurar Village

Malad (East)

Mumbai-400 097.

Applicant

-versus-

1. The Chairman
Railway Recruitment Board
having his office at Divisional
Office Compound at Mumbai Central
(Western Railway)
Mumbai-400 008.

2. Union of India
through the Secretary
Railway Board
Ministry of Railways
Rail Bhavan
New Delhi-110 001

Respondents

ORDER (BY CIRCULATION)


Justice Ashok Agarwal:-

Present review application has been filed by the
applicant in person. By this application, he seeks
review of an order passed by us on 16.8.2001 in OA
No.51/2001.



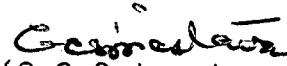
2. Facts of the case are few and are as under:-

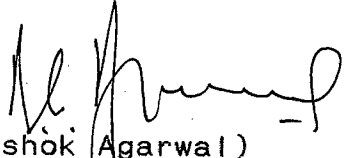
In pursuance of an advertisement issued in 1995, applicant had applied for the post of Assistant Station Master. Selection for the post was on all India basis. Results thereof were declared on 7.7.1997. Applicant had been declared unsuccessful. Aforesaid decision of the selection committee was impugned by the applicant by instituting the aforesaid OA. Applicant was represented by a duly appointed advocate at the hearing of the aforesaid OA. After hearing the advocates appearing for the contending parties, it has, inter-alia, been found that the results of the selection had been declared on 7.7.1997 and the OA had been filed on 15.1.2001. The said OA, in the circumstances was held to be hopelessly barred by limitation. It has further been held that even on merits, the applicant cannot challenge the results of the viva-voce. That matter was within the exclusive domain of the selection committee. The same, therefore, cannot be put to judicial scrutiny. OA in the circumstances was found to be devoid of merit and the same was dismissed in limine. By the present review application, the applicant has once again sought to contend that he was entitled to have been selected. He has gone on to allege irregularities and corruption in the recruitment process which was not even the contention raised at the hearing of the OA. He has also sought to raise certain issues which were not a part of the submissions advanced by his advocate at the hearing of the OA. To repeat, the selection



process is a matter which is entirely within the purview of the selection committee. The same cannot be successfully assailed in the present review application. Applicant, in the circumstances, we find cannot claim review on the grounds taken in the application. Moreover it is to be remembered that the OA had been dismissed also on the ground of limitation.

3. In view of the aforesaid reasons, present review application is devoid of merit and the same is accordingly dismissed in limine.


(G.C. Srivastava)
Member (A)


(Ashok Agarwal)
Chairman

/sns/

dt. 10/12/01
order/2 attached
to App. dependent (s)
on 10/12/01

