

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH: BANGALORE

Dated this the 26th day of May, 1987.

Present

HON'BLE MR. JUSTICE K.S.PUTTASWAMY VICE CHAIRMAN

HON'BLE MR. P.SRINIVASAN MEMBER(A)

Application No.1836 of 1986(T)

M.N.Manjunatha S/o A.Neelakanta
Major, Door No.1/2, Behind Sandal-
Wood Oil Factory, Jayanagar,
Mysore. ..

Applicant

(Shri N.Y.Hanumanthappa, Advocate,)

-vs.-

1. The Union of India
by its Secretary to Govt. of India,
Ministry of Railways,
Railway Bhavan, New Delhi.
2. The Southern Railway,
Represented by the General-
Manager, Central Southern Area,
Madras-1.
3. The Selection Committee for
the Recruitment of Temporary-
Khalasis Mechanical Workshop,
by its Chairman Sri R.Vijaya Mohan,
Works Manager,
Mechanical Workshop, Southern-
Railway, Mysore South, Mysore-8.
4. B.Gavisidda S/o Boregowda
5. R.Chandrasekhara S/o N.Ramaiah
6. S.Venugopal S/o S.Suryanarayana
7. Syed Ariff Ahmed S/o Syed Nazir Ahmed
8. L.Jaganath S/o N.Lakkiah
9. Ramesh M S/o H.Mahadevaiah

Respondents
contd.....

10. N.Vincent S/o S.Nicholas
11. N.Narasimha Murthy S/o Chikka-narasaiah.
12. N.Muralidharan S/o A.H.Narayanan
13. Hanumappa S/o Lakkaiah
14. Nagoji Rao S/o Byroji Rao
15. Puttaswamy S/o Kempaiah
16. Putta Honne Gowda
17. Afroz Pasha M.A.
18. S.Sidda Ramu
19. J.Rajasekhara
20. Vittal Rao B
21. T.G. Srinivasamurthy
22. N.S.Shashiprakash
23. Jagadisha S
24. S.Chinnappa
25. Ningaraja
26. Mohamed Safiulla
27. H.L.Harry Stanislas
28. V.Sudhir Singh
29. B.Chandrashekar
30. Chandra
31. M.P.Venkatesha
32. G.Lakshminarayana Raju
33. K.S.Natesh
34. J.Sathyaprakash Singh
35. R.Raja Rao

R-16 to 35
deleted vide
order dated
7-8-1985.

36. I.Walter Gnanamonickam
37. S.Sundar Rajan
38. C.Derma Raj
39. Madaiah
40. P.S.Ramanujan
41. Ninge Gowda
42. Venkatesh Prasad
43. Ramanna
44. K.V.Ganapathi Prasad
45. N.Viswanatha
46. E.Krishna
47. N.Gopinathan
48. M.V.Dhananjaya
49. D.Madhukara
50. J.Srinivas
51. V.G.Shivakumar
52. V.Mohan Kumar
53. R.Krishna
54. Ramesh R
55. R.Suresha
56. M.P~~a~~rabhu
57. Chandrashekar
58. Murugesh
59. S.Ravikumar
60. N.Subramanya
61. Umesh M.N.
62. Subramanya

63. C.Govinda .. RESPONDENTS.
(R-36 to 63 are deleted vide order dated 7-8-1985).

(Shri H.Shanmukhappa Adv. for R-1 to R-3)

Application coming on for hearing this day, PUTTASWAMY, J. (Vice Chairman), made the following:

ORDER

Case called. Applicant and his learned Counsel are absent. Shri H.S. Lingaraja for respondents 1 to 3.

2. This is a transferred application and is received from the High Court of Karnataka under Section 29 of the Administrative Tribunals Act, 1985.

3. The applicant has challenged his non-selection and selection of others to the post of Khalasis in pursuance of the employment notice E/1/82 dated 4-11-1982 (Annexure-A) on the very grounds on which A. Mohan Krishna and 21 others had also challenged their non-selection and the selection of others in Application Nos. 1845 to 1866/86 and 183 & 184/87. In Mohan Krishna's case, we have examined every one of the grounds urged by this applicant, ~~xxxx~~ rejected them and upheld the selections pursuant to the very employment notice. Every one of the grounds urged by this applicant ~~xxxx~~ for the very reasons stated in Mohan Krishna's case, are liable to be rejected and this application also dismissed for those reasons. We, accordingly

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex(BDA)
Indiranagar
Bangalore - 560 038

Dated : 8-6-87

Application No. 1836/86(T)
W.P.No. 2326/84

Applicant

Shri M.N. Manjunatha

V/s The Secy, M/o Railways & 14 Ors

To

- | | |
|---|--|
| 1. Shri M.N. Manjunatha
1/2, Behind Sandal Wood Oil Factory
Jayanagar
Mysore | 6. Shri B. Gavisidda
S/o Shri Boregowda |
| 2. Shri K.N. Chandrasekhar
Advocate
C/o Shri N.Y. Hanumanthappa
Advocate
No. 612, Chandra Buildings
Avenue Road
Bangalore - 560 002 | 7. Shri R. Chandrasekhara
S/o Shri N. Ramaiah |
| 3. The Secretary
Ministry of Railways
Rail Bhavan
New Delhi-110 001 | 8. Shri S. Venugopal
S/o Shri S. Suryanarayana |
| 4. The General Manager
Southern Railway
Park Town
Madras - 600 003 | 9. Shri Syed Ariff Ahmed
S/o Shri Syed Nazir Ahmed |
| 5. The Works Manager
Mechanical Workshop
Southern Railway
Mysore South
Mysore - 570 008 | 10. Shri L. Jaganath
S/o Shri N. Lakkaiah |
| | 11. Shri Ramesh M
S/o Shri H. Mahadevaiah |
| | 12. Shri N. Vincent
S/o Shri S. Nicholas |
| | 13. Shri N. Narasimha Murthy
S/o Shri Chikkanarasaiah |
| | 14. Shri N. Muralidharan
S/o Shri A.H. Narayanan |
| | 15. Shri Hanumanthappa
S/o Shri Lakkaiah |

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Submitted
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9/6/87

o/c

16. Shri Nagoji Rao
S/o Shri Byroji Rao

17. Shri Puttaswamy
S/o Shri Kempaiah

(Sl Nos. 6 to 17 - Khalasis
C/o Works Manager
Mechanical Workshop
Southern Railways
Mysore South
Mysore - 570 008)

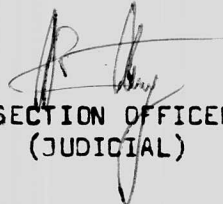
18. Shri H. Shanmukhappa
Advocate
No. 250, "Himanshu"
III Main, Mahalakshmi Layout
Bangalore - 560 086

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH
IN APPLICATION NO. 1836/86(T)

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Please find enclosed herewith the copy of the Order passed by this Tribunal
in the above said application on 26-5-87.

Encl : As above


SECTION OFFICER
(JUDICIAL)

d/c :

REGISTERED

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH
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Commercial Complex(BDA),
Indiranagar,
Bangalore - 560 038

Dated : 17-8-87

REVIEW APPLICATION NO 98 /87()
IN APPLICATION NO. 1836/86(T)

W.P. NO

Applicant

Shri M.N. Manjunatha

V/s The Secy, M/o Railways & 2 Ors

To

1. Shri M.N. Manjunatha
Door No. 1/2
Behind Sandalwood Oil Factory
Jayanagar
Mysore
2. Shri K.N. Chandrasekhar
Advocate
612, Chandra Buildings
Avenue Road
Bangalore - 560 002

Subject: SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER/XXXX/

XXXXXXXXXXXX passed by this Tribunal in the above said Review
application on 5-8-87.

B. V. Venkatesh
DEPUTY REGISTRAR
XXXXXXXXXXXX
(JUDICIAL)

Encl : as above

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE

DATED THIS THE 5th DAY OF AUGUST, 1987

Present : Hon'ble Justice Sri K.S. Puttaswamy Vice-Chairman

Hon'ble Sri L.H.A. Reddy Member (A)

REVIEW APPLICATION No. 98/87 in Application No. 1335/1986

M.N. Manjunatha,
Door No. 1/2,
Behind Sandalwood Oil Factory,
Jayanagar,
Mysore

...

Applicant

(Sri K.V. Chandrasekhar

... Advocate)

vs.

The Union of India,
by its Secretary to Govt. of India,
M/o Railways,
Rail Bhavan, New Delhi.

The Southern Railway,
represented by the General Manager,
Central Southern Area,
Madras - 1.

The Selection Committee for the
Recruitment of Temporary Khalasis
Mechanical Workshop, by its
Chairman, Sri R. Vijaya Mahan,
Works Manager, Mechanical Workshop,
Southern Railway, Mysore South,
Mysore - 8, and 60 others.

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Respondents

This Review application has come up before the court today. Hon'ble Justice Sri K.S. Puttaswamy, Vice-Chairman made the following :

ORDER

In filing the review application, there is a delay of 37 days. In I.A.No.1, the applicant has sought for condoning the said delay. I.A.No.1 is supported by an affidavit sworn to by Sri K.V. Chandrasekhar, learned Advocate for the applicant.



We have no reasons to doubt the correctness of the assertions made by the deponent in his affidavit, which necessarily means that there is sufficient cause for condoning the delay. We therefore allow I.A.No.1 and condone the delay.

2. After condoning the delay, we have heard Sri P.N. Chandrasekhar, learned counsel for the applicant on the admission of application for review. While noticing the absence of the applicant and his learned counsel, we have rejected Application No.1335 of 1995 following an earlier decision of this Tribunal. We have again examined whether we have correctly applied the principle enunciated in Applications Nos. 1345 to 1355 of 1985, 133 and 134 of 1987. We are satisfied that the principle enunciated in A.Nos.1345 to 1355 of 1985, 133 and 134 of 1987 has been correctly applied. If that is so, then the presence of the learned counsel for the applicant on the hearing date would not have made any difference at all. We thus find no justification to review our earlier order. We, therefore, reject the review application at the admission stage.



SD _____

SD _____

VICE-CHAIRMAN 5/8/81

MEMBER (A) 15/8/81

an.

-True Copy-

B.V. Venkatesh
DEPUTY REGISTRAR
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE
17/8