

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH : BANGALORE

DATED THIS THE TWENTY SIXTH MAY, 1987

Present:

Hon'ble Mr Justice K.S. Puttaswamy Vice Chairman
Hon'ble Mr P. Srinivasan Member (A)

APPLICATION NO.1876/86 (T)

C. Derramaraj @ C. Dharmaraj
"Nadam House"
57, Nachenahallypalya
Mysore - 570 008 Applicant

(Sri K. Ranganathappa .. Advocate)

Vs.

1. The Secretary to
Government of India
Ministry of Railways
New Delhi.
2. The Works Manager,
Southern Railways,
Ashokapuram,
Mysore - 570 008.
3. The General Manager
Southern Railways,
Park Town,
Madras - 600 003. Respondents

(Sri H.S. Lingaraj .. Advocate)

This application came for hearing today.

Member (A) made the following:-

O R D E R

This application originated as a writ petition before the High Court of Karnataka before it was transferred to this Tribunal under section 29 of the Administrative Tribunals Act, 1985.

P. Srinivasan

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2. The grievance of the applicant in this application is that though he was placed on the Select List of persons for appointment as Khalasi in the Central Workshop, Mysore South, Southern Railway, Mysore, by a notification dated 24-12-1983 issued by the Works Manager, he was not issued an order of appointment thereafter, though all other persons in the Select List were duly appointed. His further complaint is that he has been given no reason for his non-appointment.

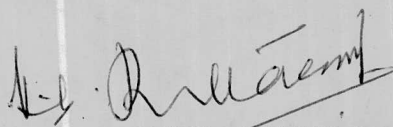
3. The respondents have, in their reply, clarified that though the applicant was initially selected for appointment and placed in the Select List, it was only a provisional selection subject to verification of particulars relating to each candidate. On such verification, it was found that the school certificate furnished by the applicant along with his application was a spurious one and the Headmistress of the School had categorically denied that the applicant was on the rolls of the school. The Headmistress had also written to the respondents that the reference number quoted in the certificate furnished by the applicant related to some other person and not to the applicant. Therefore, the respondents could not offer appointment to the applicant. A mere placement of a person in the Select List does not entitle him to appointment.

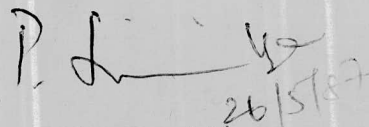
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4. When the matter came up for hearing today, neither the applicant nor his learned counsel was present. We noticed that on three earlier occasions also, when the matter was posted for hearing i.e. on 5-2-1987, 11-3-1987 and 10-4-1987, the applicant and his counsel were absent. We have waited today till 3.15 p.m. and neither the applicant nor his counsel has appeared so far. We, therefore, proceed to decide this application with the assistance of Shri H.S. Lingaraj, learned counsel for the respondents.

5. Shri Lingaraj has reiterated what has been stated in the reply of the respondents that the applicant, having furnished a false certificate could not be given the order of appointment. Original records of the respondents were produced before us and we have perused them. We are satisfied that the respondents have carried out the verification and have found that the school certificate furnished by the applicant was false and therefore had rightly decided not to issue letter of appointment to the applicant. This application, therefore, deserves to be dismissed.

6. In the result, the application is dismissed. Parties to bear their own costs.


VICE CHAIRMAN
28/5/87


MEMBER (A)
26/5/87

mr.

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCHAPPLICATION No. 1876/86(T)COMMERCIAL COMPLEX, (BDA)
INDIRANAGAR,
BANGALORE-560 038.

(WP. NO. 12706/85)

DATED: 5-6-87

APPLICANT

Vs

RESPONDENTSShri C. Dermaraj @ C. Dharmaraj
TO

The Secy, M/o Railways & 2 Ors

1. Shri C. Dermaraj @ C. Dharmaraj
"Nadam House"
57, Nachanahallypalya
Mysore - 570 008
2. Shri K. Ranganathappa
Advocate
12, Kurubara Sangha Building
II Cross, Gandhinagar
Bangalore - 560 009
3. The Secretary
Ministry of Railways
Rail Bhavan
New Delhi-110 001

4. The Works Manager
Southern Railways
Ashokapuram
Mysore - 570 008
5. The General Manager
Southern Railways
Park Town
Madras - 600 003
6. Shri H.S. Lingaraj
Advocate
250, III Main
Mahalakshmi Layout
Bangalore - 560 086

SUBJECT: SENDING COPIES OF ORDER PASSED BY THE
BENCH IN APPLICATION NO. 1876/86(T)

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Please find enclosed herewith the copy of the Order
passed by this Tribunal in the above said Application on26-5-87.ENCL: As above.for DEPUTY REGISTRAR
(JUDICIAL)