

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. Dermaraj @ 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. S. 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.

*H. D. Pillai*  
VICE-CHAIRMAN  
26/5/87

*P. L. V.*  
26/5/87  
MEMBER (A)

mr.

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

APPLICATION No. 1876/86(T)  
(WP. NO. 12706/85 )

COMMERCIAL COMPLEX, (BDA)  
INDIRANAGAR,  
BANGALORE-560 038.

DATED : 5-6-87

APPLICANT

VS

RESPONDENTS

Shri C. Darmaraj @ C. Dharmaraj

The Secy, M/o Railways & 2 Ors

TO

1. Shri C. Darmaraj @ C. Dharmaraj  
"Nadam House"  
57, Nachenahallypalya  
Mysore - 570 008

4. The Works Manager  
Southern Railways  
Ashokapuram  
Mysore - 570 008

2. Shri K. Ranganathappa  
Advocate  
12, Kurubare Sangha Building  
II Cross, Gandhinagar  
Bangalore - 560 009

5. The General Manager  
Southern Railways  
Park Town  
Madras - 600 003

3. The Secretary  
Ministry of Railways  
Rail Bhavan  
New Delhi-110 001

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)

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.

*for DEPUTY REGISTRAR  
(JUDICIAL)*