

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE

DATED THIS THE 17TH DAY OF JULY, 1987

Present: Hon'ble Shri P. Srinivasan, Member (A)
and
Hon'ble Shri Ch. Ramakrishna Rao, Member (J)

APPLICATION NO. 35/1987

Shri K. Murali,
S/o late B. Krishnan,
aged 23 years,
C/o K. Laxmibai,
Opp: Moulali Darg,
Kulkarni Hakkal,
Pawar Chaul,
Hubli.

.... Applicant

(Shri Shailendra, Advocate)

v.

1. The Additional Chief Mechanical Engineer, Hubli Workshops, South Central Railway, Hubli.
2. The Workshop Personal Officer, Workshops, South Central Railway, Hubli.

.... Respondents.

(Shri M. Sreerangaiah, Advocate)

This application having come up for hearing to-day,
Shri P. Srinivasan, Hon'ble Member (A) made the following:

ORDER

In this application, the applicant who was initially selected for appointment as an Act Apprentice ('AA') in the Hubli Workshop of the South Central Railway, complains that no appointment order has been issued to him thereafter, and when he made an enquiry in this behalf, he was merely told that 'certain' information appearing in the original certificates has been suppressed in the true copies furnished by him along with his application for appointment.

[Signature]

2. The applicant wants us to quash Annexure-F to the application, whereby the respondents wrote to him saying that information appearing in the originals had been suppressed and therefore he could not be appointed as AA.

3. Shri M.R. Shailendra, appearing for the applicant, contends that after the applicant had been selected for appointment after a regular interview, the respondents should not have cancelled the selection without giving him an opportunity to explain his position. If they found certain information found in the originals of documents had been suppressed in the true copies furnished along with the application for appointment, they should have drawn his attention to the fact and called for his explanation before taking a decision unilaterally not to offer him appointment.


4. Shri Sreerangaiah, counsel for respondents, supported the action of the respondents.

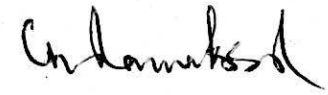
5. After hearing counsel on both sides, we feel that the respondents should have given an opportunity to the applicant to explain his position, before coming to the conclusion that he had suppressed some information and deciding not to give him an order of appointment. They will now do so. They should inform him what information had been suppressed in the copies furnished, and why an

P. S. - 2

appointment order cannot be issued to him in the circumstances and hear his objections thereto, before taking a final decision. The respondents are directed to do so within 3 months from today.

6. In the result, application disposed of accordingly. Parties to bear their own costs.


Member (A)


Member (J)

dms/Mrv.

**CENTRAL ADMINISTRATION TRIBUNAL
BANGALORE BENCH**

APPLICATION No. 35/87(F)

(WP.NO.)

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

DATED: 24-7-87

APPLICANT

Vs

RESPONDENTS

Shri K. Murali
TO

The Addl Chief Mechanical Engineer, SC Railway,
Hubli & another

1. Shri K. Murali
C/o K. Laxmibai
Opp: Moulali Darg
Kulkarni Hakkal
Pawar Chawl
Hubli
2. Shri M.R. Shailendra
Advocate
844 (Upstairs)
Vth Block
Rajajinagar
Bangalore - 560 010
3. The Additional Chief Mechanical Engineer
Hubli Workshops
South Central Railway
Hubli

4. The Workshop Personnel Officer
Workshops
South Central Railway
Hubli
5. Shri M. Sreerangaiah
Railway Advocate
3, SP Buildings, 10th Cross
Cubboopet Main Road
Bangalore - 560 002

SUBJECT: SENDING COPIES OF ORDER PASSED BY THE
BENCH IN APPLICATION NO. 35/87(F)

....

Please find enclosed herewith the copy of the Order
passed by this Tribunal in the above said Application on
17-7-87.

ENCL: As above.

B.V. Venkatesh
DEPUTY REGISTRAR
(JUDICIAL)

RECEIVED 27/7/87
Shri K. Murali
28/7

ch.
For file
add
27/7/87

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BANGALORE

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O R D E R

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Sd---

Member (A)

Sd---

Member (J)

"True copy"



dms/Mrv.

B. V. Venkatesh Reddy
DEPUTY REGISTRAR
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE