

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 Chawl,
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 had been suppressed in the true copies furnished by him along with his application for appointment.

L.S. W

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. 162

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.

P. J. W.
Member (A)

Unhanded
Member (J)

dms/Mrv.

REGISTERED

**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

Shri K. Murali

TO

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

RESPONDENTS

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

4. The Workshop Personnel Officer
Workshops
South Central Railway
Hubli
5. Shri M. Sreerangaiah
Railway Advocate
3, SP Buildings, 10th Cross
Cubbpet 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

RECEIVED 27/7/87
28/7/87

ENCL: As above.

*S
for me
27/7/87*

B. V. Venkatesh
DEPUTY REGISTRAR
(JUDICIAL)

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BANGALORE

DATED THIS THE 17TH DAY OF JULY, 1987

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and
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P. J. K.

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Sd---

Member (A)

Sd---

Member (J)

"True copy"

dms/Mrv.



B. V. Venkatesh
DEPUTY REGISTRAR
CENTRAL ADMINISTRATIVE TRIBUNAL 24/3
ADDITIONAL BENCH
BANGALORE