

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex(BDA)
Indiranagar
Bangalore - 560 038

Dated : 3 APR 1989

APPLICATION NO (s) 134 / 89(F)

W.P. NO (s) _____ /

Applicant (s)

Shri V. Jayapalan

To

v/s The Secretary, M/o Railways, New Delhi
& 5 Ors

1. Shri V. Jayapalan
314/E, M.G. Colony
Southern Railway Quarters
Bangalore - 560 023
2. Shri M.S. Anandaramu
Advocate
128,Cubbonpet Main Road
Bangalore - 560 002
3. The Secretary
Ministry of Railways
Rail Bhavan
New Delhi - 110 001
4. The General Manager
Southern Railway
Park Town
Madras - 600 003
5. The Divisional Personnel Officer
Southern Railway Divisional Office
Personnel Branch
Bangalore - 560 023

6. Shri T. Vasu
Ad-hoc Driver
Office of the Divisional
Mechanical Engineer
Southern Railway
Bangalore - 560 023

7. Shri Muralidharan
Ad-hoc Driver
Office of the Medical
Superintendent
Southern Railway
Bangalore - 560 023

8. Shri K. Balasundaram
Ad-hoc Driver
Office of the Assistant
Divisional Railway Manager
Southern Railway
Bangalore - 560 023

9. Shri M. Srigerangaiah
Railway Advocate
No. 3, S.P. Building
10th Cross, Cubbonpet Main Rd
Bangalore - 560 002

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith a copy of ORDER/STAY/INTERIM ORDER
passed by this Tribunal in the above said application(s) on 27-3-89.

YR 100
K.N. 3-4-89

of

R.V. Venkatesh
DEPUTY REGISTRAR
(JURISDICTION)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH: BANGALORE

DATED THIS THE 27TH DAY OF MARCH, 1989

PRESENT: HON'BLE SHRI JUSTICE K.S.PUTTASWAMY...VICE-CHAIRMAN
HON'BLE SHRI P. SRINIVASAN ...MEMBER (A)

APPLICATION NO. 134/89

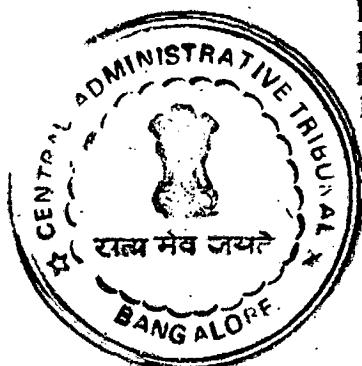
1. Sri V. Jayapalan, S/o
Sri V. Venkate Gownder,
aged about 34 years,
now working as Driver,
S.B.C., Southern Railway,
Bangalore and residing at
No. 314/E, M.G. Colony,
Southern Railway Quarters,
Bangalore-560 023.

...APPLICANT

(Shri M.S. Ananda Ramu....Advocate)

Vs.

1. The Union of India
represented by its Secretary,
Ministry of Railways,
Rail Bhavan, New Delhi.
2. The General Manager,
Southern Railway, Park
Town, Madras;
3. The Divisional Personnel
Officer, Southern Railway,
Divisional Office, Personnel
Branch, Bangalore-23;
4. Sri T. Vasu, working as ad-
hoc Driver, Office of the
Divisional Mechanical
Engineer, Southern Railways,
Bangalore-23;



P. J. K.

.....2/-

5. Sri Muralidharan Nair, working as ad-hoc Driver, Office of the Medical Superintendent, Southern Railway, Bangalore-23;

6. Sri K. Balasundaram, working as Ad-hoc Driver, Office of the Assistant Divisional Railway Manager, Southern Railway, Bangalore-23.

... RESPONDENTS

(Shri M. Srirangaiah...Advocate)

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

O R D E R

In this application, the applicant who is currently working at Bangalore in the Southern Railway complains that his name has not been included in the trade test to be held for appointment of Drivers in the list announced on 11.1.1989 (Annexure F).

2. Shri M.S. Ananda Ramu, learned counsel for the applicant and Shri Srirangaiah, learned counsel for respondents 1 to 3 are present. Respondents 4 to 6 have not been served but in view of the course this application has taken it is not necessary to serve notice on them.

P. S. Ramu

...3/-

3. Shri Ananda Ramu submits that by not having been placed in the list of persons for the trade test on 11.1.1989 the applicant has missed a chance for promotion. Shri Srirangaiah files the reply of the respondents and submits that the applicant's name has been included in the list brought out on 9.2.1989 of persons who are to take the trade test for the post of Driver and that, therefore, the grievance of the applicant ~~YAOO JUST~~ has been remedied. Shri Ananda Ramu submits that the question of seniority of the applicant would still remain. After hearing both parties we are of the view that the application does not survive for consideration because the only grievance therein viz., that the applicant's name was not included in the trade test to be held for Drivers has in fact been remedied by placing his name on a similar list brought out on 9.2.1989. If the applicant is selected for appointment as a result of the test now to be held and is so appointed but thereafter he feels aggrieved with the seniority accorded by him in the post of Driver he will be at liberty to agitate the matter before this Tribunal if he deems fit.



P. S. B

4. In view of the above, the application is dismissed as having become unnecessary with liberty to the applicant to approach this Tribunal as directed above. Parties to bear their own costs.



SB.

Sd/-

(VICE-CHAIRMAN)
27/3/88

Sd/-

(MEMBER)(A)

TRUE COPY

For undersigned
DEPUTY REGISTRAR (JULY 3/4)
CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE