

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No: 1200/92

~~Transfer Application No:~~

DATE OF DECISION 7-10-93

Smt. Asha Vanarse Petitioner

Shri G.S.Walia

Advocate for the Petitioners

Versus

Union of India through W.Rly. Respondent

Shri N.K.Srinivasan

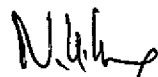
Advocate for the Respondent(s)

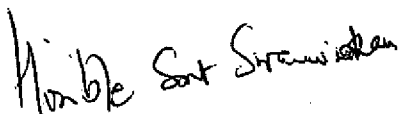
CORAM:

The Hon'ble Shri N.K.Verma, Member(A)

The Hon'ble ~~Shri~~ Smt. L.Swaminathan, Member(J)

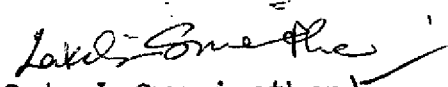
1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

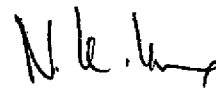

(N.K.Verma)
Member(A)


Hon'ble Smt Swaminathan

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candidature of the applicant on a waiting list and she should have been given a job in Group 'C' as and when the vacancy arise. ~~From~~ The fact that she was given an ad-hoc appointment as N.M.Clerk immediately after her appointment in Class IV as a Messenger, would indicate that the railway authorities had no doubt in their mind about her suitability for the post of group 'C' job in the railways. The applicant has prayed for the relief of holding another suitability test for her ~~for~~ determining her candidature for a post in group 'C'. In view of the facts that she has the qualifications to hold the post and she had undergone suitability test and she was given an ad-hoc appointment as N.M.Clerk, we consider her fit to be appointed against the post of a clerk in Group 'C'. There is no need of another suitability test to establish her candidature. We therefore, direct the respondent that the applicant be appointed in Group 'C' post now within next three months of the issue of this order.

We dispose of this application accordingly.
There will be no order as to costs.


(Smt. L. Swaminathan)
Member(J)


(N.K. Verma)
Member(A)

C.P. No. 69/94
for order, fixed
on 20/6/94.
Ayer ¹⁵⁶

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Date: 20.6.94 C.P. 69/94

Mr. G.S. Walia for
the applicant.

Rule returnable on

25.7.94

27/7/94

M.R. Kolhatkar
(M.R. Kolhatkar) (M.S. Deshpande)
M(A) v.c.

Dated = 25.7.94

Notice is issued
to Contemner on
27/6/94
M

Shri G.S. Walia for the
applicant, Shri M.S. Ramamurthy
for the respondents.

Additional Affidavit of
Applicant read on
27-7-94 (3 Copies)

Shri Ramamurthy requests
that the respondents should
be given 8 weeks time for
compliance with the judgment

S.O. to 22.9.94.

W

V. Ramakrishnan
(V. Ramakrishnan)
M(A).

M.S. Deshpande
(M.S. Deshpande)
v.c.

OA-1200/92.

22.9.1994.

CP: 69/94.

Shri G. S. Walea for the applicant.

Shri M. S. Ramamurthy, counsel for the Respondents.

The applicant has been originally appointed as Non-Matriculate clerk. Thereafter, the Tribunal directed the Respondents to appoint her in Group 'C'. Accordingly, the applicant has filed a CP. No. 69/94. On receipt of the C.P.; the Respondents counsel has taken 8 weeks time for compliance of the Judgement.

The Respondents, vide their Order dated 31/8/1994, has rectified their mistake and appointed her as Asstt. Comm. Clerk in Commercial Deptt. of Western Railway. In the circumstances, the directions of the Tribunal has been complied with and the C.P. No. 69/94 is disposed of. The order furnished by the respondents is taken on record and marked as Exhibit.

In case the applicant is not appointed by virtue of the order dated 31.8.1994, it is open to the applicant to move the Tribunal again.

M. R. Kolhatkar
(M. R. KOLHATKAR)
MEMBER (A).

B. S. Hegde
(B. S. HEGDE)
MEMBER (J)

22/9/94
order/Judgement despatched
to Applicant/Respondent (s)
on 23/9/94

[Signature]
23/9/94