

CENTRAL ADMINISTRATIVE TRIBUNAL,
JAIPUR BENCH,
JAIPUR.

TA No.693/86

Date of order : 17.9.92

FAITHFUL FRANKLIN ... APPLICANT.
Mr.P.V.Calla ... Counsel for the
applicant.

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UNION OF INDIA & OTHERS. RESPONDENTS.
Mr.R.N.Mathur ... Counsel for the
respondents.

CORAM :

THE HON'BLE MR.B.B.MAHAJAN, ADMN. MEMBER.
THE HON'BLE GOPAL KRISHNA, JUDL. MEMBER.

PER HON'BLE MR.B.B.MAHAJAN, ADMN. MEMBER :

Faithful Franklin had filed a writ petition in the High Court of Judicature for Rajasthan, Bench at Jaipur against the panel of selection prepared for appointment to Class IV post in the Railway Workshop, Ajmer published on 14.5.85. The writ petition has been transferred to this Tribunal under Section 29 of the Administrative Tribunals Act.

2. The respondents had through their notification dated 18.10.82 (Exhibit-2) invited applications for filling up of certain class IV posts in their

Workshop situated at Ajmer. The panel of selected candidates was issued by the impugned order dated 14.5.85. The applicant had stated that he is the son of a deceased Railway employee and therefore in accordance with para 4 of the notification dated 18.10.82, he was not required to submit his application through the Employment Exchange and he had dropped the same in a box kept outside the office of the Workshop situated at Ajmer. He has stated that he had dropped his application in the box but ^{he} ~~his~~ application has not been called for written test and interview. He had filed a representation on 12.7.85 (Exhb.7) but he received no reply. The respondents in the reply had stated that they have not received any application from the applicant and he has, therefore no locus standi to challenge the selection.

3. We have heard the counsel for the parties. There is no evidence in support of the contention of the applicant that he had submitted his application by putting in the box. The fact that he filed his representation only on 12.7.85 i.e. after more than 2½ years of the last date of the submission of the applications throws doubt on his contention as an applicant who does not hear about his application for 2½ years would normally contact the authorities much earlier.

4. We, therefore, see no merit in the application. However, since the applicant was admittedly the son of a deceased Railway employee, in case he files an application for appointment on compassionate grounds to the

competent authority, his application may be considered sympathetically in accordance with the extant rules. With these observations the T.A. stands disposed of. Parties to bear their own costs.

Gopal Krishna
(GOPAL KRISHNA)
Member (Judl.)

B.B. Mahajan
(B.B. MAHAJAN)
Member (Admn.)

Shashi/