

(18)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

ORIGINAL APPLICATION NO.507 of 1990

DATE OF JUDGMENT: 18th June, 1993

BETWEEN:

1. Mr. B.Laxmaiah
2. Mr. Syed Ahmed Kaleemullah .. **Applicants**

AND

1. The Divisional Manager,
South Central Railway,
Secunderabad.
2. The Chief Workshop Manager,
S.C.Railway, Lallaguda,
Secunderabad.
3. The District Employment Officer,
Rangareddy District,
Hyderabad.
4. The District Employment Officer,
Old City,
Hyderabad. .. **Respondents**

APPEARANCE:

COUNSEL FOR THE APPLICANTS: Mr. V.V.Narasimha Rao - NOT PRESENT

COUNSEL FOR THE RESPONDENTS: Mr. D.Gopal Rao, SC for Railways
for the Respondents 1 and 2,
represented by Mr. N.Rajeswar Rao.

Mr. D.Panduranga Reddy, Special
Counsel for the State of A.P. for
the Respondents 3 and 4.

.. PRESENT.

CORAM:

Hon'ble Shri Justice V.Neeladri Rao, Vice Chairman
Hon'ble Shri P.T.Thiruvengadam, Member (Admn.)

contd....

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JUDGMENT OF THE DIVISION BENCH DELIVERED BY THE HON'BLE
SHRI JUSTICE V.NEELADRI RAO, VICE CHAIRMAN

Neither the applicants ~~nor their~~ learned counsel
~~are~~ present. Heard the learned counsel for the respondents
1 and 2 Mr. N.Rajeswara Rao appearing for Mr. D.Gopala Rao,
SC for Railways, and the learned Special Counsel for the
Respondents 3 and 4, Mr. D.Panduranga Reddy.

2. This OA was filed seeking a direction to the
respondents 1 and 2 to interview the applicants on 30.6.90
for the posts of Khalasis and if they are selected they
have to be appointed to the said posts.

3. The facts which give rise to this application
are as under:-

The 2nd respondent called for applications through
the Employment Notice No.1/87/LGD/Shops, dated 22.8.1987
for the posts of Khalasis and 25.9.1987 was fixed as the last
date for receipt of the applications. The said Employment
Notification was intimated to all the Employment Exchanges
and other institutions such as All India Railway Employees
(SC & ST) Association and it was also published in all the
news papers. In response to the said notification, 33,078
applications were received and 13,000 out of them were found
eligible for interview. Hence, call letters were sent to
those eligible candidates for interview.

4. The applicants got their names registered in the
Employment Exchange but they have not applied for the post
in pursuance of the Employment Notification dated 22.8.87.
It is alleged for the applicants that the procedure adopted

contd....

by the 2nd respondent is not in conformity with the provisions of the Constitution by contending that the only way in which the recruitment for the posts of Khalasis had to be made is by selecting from out of the candidates sponsored by the Employment Exchange.

5. It is now well settled that it is for the concerned authority to lay down recruitment rules and the same cannot be interfered with unless challenge is on the ground that there is violation of the Articles of Constitution of India or that they are unreasonable or unjust. But it is not laid down by the Constitution that the only method of recruitment is by selecting from out of the candidates sponsored by the Employment Exchange. Wide publicity was given by the 2nd respondent for recruitment of the Khalasis. It is one of the well established methods of recruitment. The said recruitment policy cannot be held as unreasonable or unjust.

6. As the applicants had not applied for in pursuance of the Employment Notification issued by the 2nd respondent, they cannot claim ^{any} relief that the 2nd respondent should be directed to interview them also, for in such a method of recruitment, eligible candidates who applied within the time alone have to be considered for selection. Probably realising the same, the applicants might not be evincing any interest and hence no one is present for them when this OA

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was called earlier dates of adjournment and even after it was listed for ~~sum~~ dismissal.

7. In the result, the OA is dismissed. No costs.

(Dictated in the open Court).

P.T.Thiru

(P.T.THIRUVENGADAM)
MEMBER (ADMN.)

Neeladri
(V.NEELADRI RAO)
VICE CHAIRMAN

Dated: 18th June, 1993.

vsn

8/23/93
Deputy Registrar (Judl.)

Copy to:-

1. The Divisional Manager, South Central Railway, Secunderabad.
2. The Chief Workshop Manager, South Central Railway, Lallaguda, Secunderabad.
3. The District Employment Officer, Rangareddy District, Hyd.
4. The District Employment Officer, Old City, Hyderabad.
5. One copy to Sri. V.V.Narasimha Rao, advocate, 4-8-670, Gowliguda, Hyd.
6. One copy to Sri. D. Gopal Rao, SC for Railways, CAT, Hyd.
7. One copy to Sri. D.Panduranga Reddy, Spl. counsel for A.P.State
8. One spare copy.

Rsm/-

23/6

O.A. 507/90

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COMPARED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CHECKED BY APPROVED BY

HYDERABAD BENCH

HYDERABAD

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH: AT HYDERABAD

THE HON'BLE MR. V. Neelakanta V.C.

AND

P. Thivierge
THE HON'BLE MR. R. BALASUBRAMANIAN: M(A)

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY: M(J)

AND

THE HON'BLE MR. C. J. ROY : MEMBER (JUDGE)

Dated: 18/6/1992

ORDER/JUDGMENT:

R.A. / C.A. / M.A. No.

O.A. No.

in
507/90

T.A. No.

(W.P. No.)

Admitted and Interim Directions issued

Allowed

Disposed of with directions

Dismissed

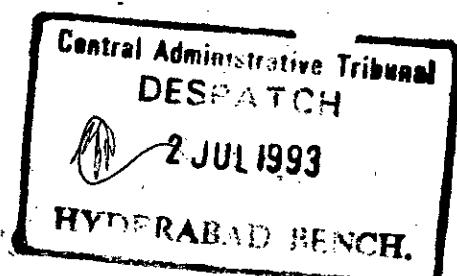
Dismissed as withdrawn

Dismissed for default

M.A. Ordered/Rejected

No order as to costs.

pvm.



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