

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.)

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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:-

X 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

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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~~ice~~. 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~~ice~~.

6. As the applicants had not applied for in pursuance of the Employment Notification issued by the 2nd respondent, they cannot claim <sup>it</sup> ~~any~~ relief that the 2nd respondent should be directed to interview them also, for in such a method of recr~~uitment~~, 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 ~~xxx~~ dismissal.

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

(Dictated in the open Court).

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

V. Neeladri Rao  
(V.NEELADRI RAO)  
VICE CHAIRMAN

Dated: 18th June, 1993.

vsn

A 823/6/93  
Deputy Registrar (Dudl.)

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/-

29/6

O.A. 507/90

TYPED BY SSS 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. Velati, P.C. V.C.

AND

P. Thiruvengadam  
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: 18/6/1993

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 with drawn

Dismissed for default

M.A. Ordered/Rejected

~~No order as to costs.~~

pvm.

