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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

OA.459/95

dt.9-5-96

(with MA 279/96)

Between

V. Sree Ramulu

: Applicant

and

1. Union of India, rep. by
The General Manager
SC Rly., Rail Nilayam
Secunderabad

2. The Sr. Divnl. Personnel Officer
SC Rly., Guntakal : Respondents

Counsel for the applicant : Sri T. Panduranga Reddy
Advocate

Counsel for the respondents : D.F. Paul, S C for Railways

CORAM

HON. MR. JUSTICE M.G. CHAUDHARI, VICE CHAIRMAN

HON. MR. RAJENDRA PRASAD H, MEMBER (ADMN.)

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DA 459/95 [redacted]

dt.9-4-96

Judgement

(Oral order per Hon. Mr. Justice M.G. Chaudhari, VC)

The application has become infructuous for the following reasons :

In December, 1994 the respondents had invited applications for the Ministerial posts of office clerks from all eligible candidates including Ferro Printers. The applicant was one of the applicants. However, his candidature was rejected on the ground that he was not in the Feeder category. He was, therefore, not called to appear at the written test scheduled to be held on 9-4-95 which was passed on to 22-2-95. The applicant, therefore, filed the instant OA on 4-4-1995 contending that he was being wrongly held to be ineligible ^{and was} as being wrongly not allowed to appear at the written test. ^{By} Interim order dated 7-7-1995 the respondent No.2 was directed to permit the applicant to appear for the written test. It was directed that if selected, order of promotion should not be issued until further orders from the Tribunal. The applicant has stated in the MA(279/96) that although in pursuance of the aforesaid order he was allowed to appear at the written test on 27-5-1995, the respondents ^{by} letter dated 19-2-96 have informed him that the entire test that was held has been cancelled and a fresh selection will be held after issuing a fresh notification. It ^{has} further, been stated that on 26-2-96 R-2 issued a fresh notification calling applications from Group-D employees for filling up the posts of office clerks in Group-C. Written test in pursuance of the fresh notification is scheduled to be held on 13-4-1996. By ^{the} this MA the applicant

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Case

seeks a direction to the respondents as was given earlier directing ~~him~~ ^{allows him to} ~~the~~ ^{the} notification being held on 13-4-1996.

2. Since the fresh notification is not ^{the} a subject matter of the OA and as the OA was relating to the earlier notification which no longer exists it is not possible to consider the request of the applicant made in this Miscellaneous Application. Similarly with the withdrawal of the notification issued in December, 1994 and the cancellation of the written test, the subject matter of the OA has come to an end and it cannot survive and cannot be dealt with as ~~with~~ relating to ^{the} a fresh notification.

3. Consequently the OA is disposed of as infructuous. ^{M.A. also disposed of with separate order thereon}

H. Rajendra Prasad
(H. Rajendra Prasad)
Member (Adm)

M.G. Chaudhari
(M.G. Chaudhari)
Vice Chairman

Dated : April 9, 96
Dictated in Open Court

Arundhati
Deputy Registrar (D) CC

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CA 459/95

To

1. The General Manager,
Union of India, SC Rly,
Railnilayam, Secunderabad.
2. The Senior Divisional Personnel Officer,
SC Rly, Guntakal.
3. One copy to Mr.T.Panduranga R Chary, Advocate,
CAT.Hyd.
4. One copy to Mr. D.Francis Paul, SC for Rlys, CAT.Hyd.
5. One copy to Library, CAT.Hyd.
6. One spare copy.

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I COURT

TYPED BY _____ CHECKED BY _____
COMPARED BY _____ APPROVED BY _____

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE M.G. CHAUDHARI
VICE-CHAIRMAN

AND

H. Rajendra Prasad
THE HON'BLE MR. H. RAJENDRA PRASAD :M(A)

Dated: 21-6-1996

~~ORDER~~ JUDGMENT

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

in

O.A.No. 459/95

T.A.No. (w.p.)

Admitted and Interim Directions
issued.

Allowed.

Disposed of with directions

~~Dismissed.~~

Dismissed as withdrawn.

Dismissed for Default

Ordered/Rejected.

No order as to costs.

No spare copy

केन्द्रीय प्रशासनिक अदालत
Central Administrative Tribunal
दिल्ली/DELHI
27 MAY 1996
हैदराबाद बेंच
HYDERABAD BENCH