

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.SR. 3996/96
O.A. / 491 - 96.

Dt. of Decision: 18-12-96.

1. K. Babu Rao
2. P. Abraham
3. B. Prasad
4. T. Venkateswarlu
5. Md. Rahim Baig
6. R. Kondaiah

.. Applicants.

Vs

1. The Sr. Divl. Personnel Officer,
SC Rly, Vijayawada Division,
Vijayawada, Krishna Division.
2. The Divl. Railway Manager,
SC Rly, Vijayawada Division,
Vijayawada, Krishna District.
3. The General Manager,
SC Rly, Rail Nilayam,
Secunderabad.

.. Respondents.

Counsel for the Applicants : Mr. M.C. Jacob

Counsel for the Respondents : Mr. V. Rajeswara Rao, Addl. CGSC.

CORAM:

THE HON'BLE SHRI (R.) RANGARAJAN : MEMBER (ADMN.)

THE HON'BLE SHRI B.S. JAI PARAMESHWAR : MEMBER (JUDL.)

..2

ORDER

ORAL ORDER (PER HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.)

Heard Mf.M.C.Jacob, learned counsel for the applicants and Mr.V.Rajeswara Rao, learned counsel for the Respondents.

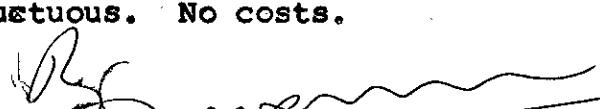
2. There are six applicants in this OA. They are aspirants for the post of Assistant Guards from the Pointsman which they are holding at present.

3. This OA is filed praying for direction to the respondents to consider their names for the selection to fill up vacancies of Assistant Guards in the scale of Rs.950-1400/- pursuant to the notification No.B/P.531/VI/3/Vol.IV. dated 2-8-96, in view of the proceedings No.B/P.487/IV PC/ Restructuring dated 31-08-93 issued by R-1 by setting aside the action of the authority in not ~~considering~~ considering them for the above selection even though they are eligible by holding the decision of the respondents as in not admitting them for the selection for the post of Assistant Guards as arbitrary, unjust and illegal.

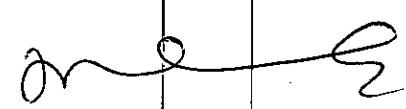
4. Mr.V.Rajeswara Rao, learned counsel for the respondents produced before us the letter No.B/P.531/VI/3/Vol.IV dt. 13-12-96 addressed to him by R-2 wherein it is stated that all the applicants herein are eligible to apply for the post of Assistant Guards against the restructured posts from the post of PM'B', L.Man II/C.Man in scale Rs.800-1150 (RSRP). The letter also states that the written examination fixed to be held on 21-12-96 is postponed and after the ~~expiry of date for~~ ~~date of~~ receipt of application, the date for written examination will be announced.

5. In view of the categorical statement of the respondents as above, the OA becomes infructuous. Letter No.B/P.531/VI/3/Vol.IV dt. 13-12-96 is taken on record.

6. In view of what is stated above, the OA is dismissed as infructuous. No costs.

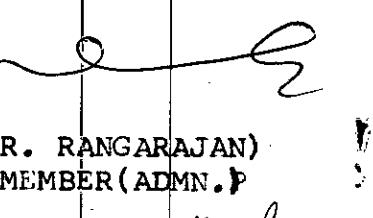

(B.S. JAI PARAMESHWAR)

MEMBER (JUDL.) 18/12/96


(R. RANGARAJAN)
MEMBER (ADMN.)

Dated : The 18th December 1996.
(Dictated in the Open Court)

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D. Registrar (3)

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Copy to:-

1. The Sr. Divisional Personnel Officer, S.C.Railway, Vijayawada Division, Vijayawada, Krishna Division.
2. The Divisional Railway Manager, S.C.Rly Vijayawada Division, Vijayawada, Krishna Dist.
3. ~~Exxopy~~ The General Manager, S.C.Railway, Railnilayam, Secunderabad.
4. One copy to Sri. M.C.Jacob, advocate, CAT, Hyd.
5. One copy to Sri. V.Gajeswara Rao, Addl. CGSC, CAT, Hyd.
6. One copy to Library, CAT, Hyd.
7. One spare copy.

Rsm/-

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11/12/96 THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN: M(A)

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR

DATED: 18/12/96

ORDER/JUDGEMENT

R.A./C.P/M.A. NO. 1491/96

L.O.A. NO.

~~ADMITTED AND INTERIM DIRECTIONS ISSUED~~
~~ALLOWED~~

~~DISPOSED OF WITH DIRECTIONS~~

~~DISMISSED~~

~~DISMISSED AS WITHDRAWN~~

~~ORDERED/REJECTED~~

~~NO ORDER AS TO COSTS.~~

II COURT

YLKR

