

(19)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION 351/96

dt. 17-4-96

Between

1. S. Bhushanam
2. M. Anjaneyulu

: Applicants

and

Divisional Railway Manager
(Personnel Branch)
SC Rly., Vijayawada

: Respondent

Counsel for the applicant

: D. Vijaya Kumar
Advocate

Counsel for the respondent

: K. Siva Reddy,
Addl. SC for Rlys.

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

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

Judgement
Oral Order

(per Hon. Mr. Justice M.G. Chaudhari, V.C.)

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Heard Sri D. Vijaya Kumar, for the applicant and
Sri K. Siva Reddy, for the respondents.

2. By this OA the applicants have challenged the cancellation
of the selection for the post of Apprentice Mechanic in
Electrical (TRS) Department in pursuance of the notifi-
cation dated 26-9-94 vide impugned order dated 15-2-1996.

3. Pursuant to the aforesaid cancellation the respondent
has issued notification dated 14-3-1996 for holding a fresh
selection. After that fact was brought to our notice at
the hearing of MA.273/96, we had given liberty to the
applicants to amend the OA to make the said notification

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✓ subject matter of challenge / or to file ~~instant~~ OA. They were directed to do so upto 11-4-1996. But the two applicants, however, filed MA.292/96 on 11-4-96 and failed to obtain order ^{here} ~~there~~ on till today. We cannot, therefore, read the notification dt.14-3-96 as subject matter of this OA.

4. Turning to the merits of the OA as it was filed, as directed by us on 4-4-1996, the learned counsel for the respondent has produced before us the note prepared by the Vigilance Department of Railways stating ^{the} ~~the~~ reasons which had prompted the cancellation of the earlier selection. We noted the contents ^{and} the detailed reasons together with the particulars relating to ~~some~~ ^{the} of the candidates including the two applicants that had ^{lead} to the cancellation of the ~~selected therein~~ selection. We are satisfied with those reasons and we think that in the circumstances, the cancellation of the earlier selection is justified. Consequently, ~~although~~ the OA has been admitted by us which was done without hearing the counsel for the applicants we are not inclined to pass any interim orders. Since we are fully satisfied ^{that} ~~with~~ the cancellation was totally justified and Mr. Siva Reddy submits that the respondents would rely on the note with its enclosures produced today, ^{and} ~~the respondents may not be~~ required to file further written statements ^{as} ~~we~~ accept the submission. The note and the enclosures being confidential records, although both of us have carefully examined the same we do not reproduce the contents here.

5. In view of the said record, we find no merit in the OA and the same is ~~liable~~ to be dismissed. Moreover the OA is also defective. Although there are two applicants and they

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have joined in single application, applicant No.2 has not verified the application and it is defective.

6. The OA is dismissed, accordingly.

R. J. P.
(H. Rajendra Prasad)
Member (Admn.)

M. G. Chaudhary
(M. G. Chaudhary)
Vice Chairman

Dated : April 17, 96
Dictated in Open Court

Deputy Registrar (OCC.)

sk

O.A. 351/96.

To

1. The Divisional Railway Manager (Personnel Branch),
SC Rly, Vijayawada.
2. One copy to Mr. D.Vijayakumar, Advocate, CAT.Hyd.
3. One copy to Mr.K.Siva Reddy, SC for Rlys. CAT.Hyd.
4. One copy to Library, CAT.Hyd.
5. One spare copy.

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TYPED BY

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COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

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

AND

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

Dated: 17-4-1996

ORDER/JUDGMENT

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

O.A.No.

351/96
in

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.

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