

40

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

O.A.No.626/99.

Date of Decision: 13-03-2000.

1. K.V.Bhagavan
2. P.Ram Prasad
3. D.Srinivasa Rao

..Applicants.

Vs

1. The Divisional Railway Manager,
SC Railway, Sec'bad Division,
Sanchalan Bhavan, 2nd Floor,
Sec'bad.
2. The Sr.Divl.Personnel Officer,
SC Railway, Sec'bad Division,
Sanchalan Bhavan, 2nd Floor,
Sec'bad.

..Respondents.

Counsel for the applicants : Mr.J.M.Naidu

Counsel for the respondents : Mr.V.Bhimanna, SC for Rlys.

CORAM:-

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

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

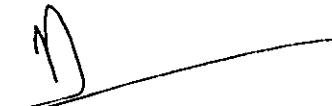
ORDER

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

Heard Sri J.M.Naidu, learned counsel for the applicants and Sri V.Bhimanna, learned Standing Counsel for the Respondents.

2. There are 3 applicants in this OA. A notification dated 1.9.1997 was issued for selection by promotion of Commercial Group-D staff for the post of Ticket Collector against the 33-1/3 % Departmental Quota. The applicants herein alleges that the selection in pursuance to the notification dt.1.9.1997 was not cancelled. Hence the selection in pursuance to the notification dated 30-10-1998, which was cancelled by declaring as null and void, and once again issuing notification dt.26.2.99 is illegal. The applicants and





41

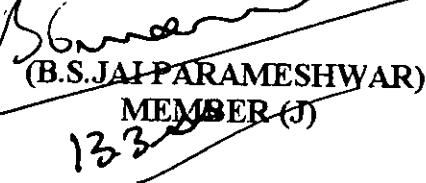
others sat in the examination held on 21.11.1998 but walked out of the examination hall complaining that the paper was tough.

3. At this juncture the applicants filed this OA for ^{declaring that} ~~setting aside~~ the notification dated 26.2.1999 without canceling the earlier notification dt.1.9.97 as it is illegal, arbitrary and for a consequential direction to the respondents to fill up the post of Ticket Collector by conducting viva-voce test in pursuant to the notification dated 1.9.1997 and even dated 18-12-1997 of the second Respondent .

4. The contentions raised in this OA and the relief prayed for in the OA are same to the contentions and prayer asked for in OA 428/99 decided on 21.2.2000 and OA.625/99 decided on 9-3-2000.

5. For the reasons stated in OA 428/99 and OA.625/99, this OA is also liable to be dismissed. It is stated that the applicants have not qualified in the written test, which the applicants deny. The applicants are at liberty to challenge their results in the written test if so advised in accordance with the law.

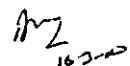
6. With the above observations, the OA is dismissed. No order as to costs.


 (B.S.JAI PARAMESHWAR)
 MEMBER (J)
 133


 (R.RANGARAJAN)
 MEMBER (A)

SPR

Dated: The 13th March, 2000.
 (Dictated in the Open Court)


 Amulya
 163-200

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH,
HYDERABAD.

1ST AND 2ND COURT

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

COPY TO

1. HON. JUSTICE D.H. NASIR
VICE CHAIRMAN

2. HON. (ADMIN) MEMBER. THE HON. MR. R. RANGARAJAN
MEMBER (ADMIN)

3. HON. M. (JUDL)

4. D.R. (ADMIN) ✓ THE HON. MR. B.S. JAI PARAMESHWAR
MEMBER (JUDL)

5. SPARE ✓

6. ADVOCATE

7. STANDING COUNSEL

DATE OF ORDER 13/03/2000

MA/RAT/CF. NO

IN

S.A. NO. 626/99

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

C.P. CLOSED

R.C. CLOSED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDER/REJECTED

NO ORDER AS TO COSTS

केन्द्रीय प्रशासनिक विवरण
Central Administrative Tribunal
मुद्रा / DESPATCH

24 MAR 2000

సుఖరాధు స్థాయిపీట
HYDERABAD BENCH