

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.)

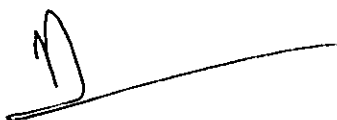
THE HON'BLE SHRI B.S.JAI PARAMESHWAR : MEMBER (JUDL.)

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)

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

SPR

112
16-2-00

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH.
HYDERABAD.

1ST AND 2ND COURT

TYPED BY
COMPILED BY

CHECKED BY
APPROVED BY

COPY TO

1. HDHND
2. HRN (ADMN) MEMBER.
3. HBSJP. M. (JUDL)
4. D.R. (ADMN)
5. SPARE
6. ADVOCATE
7. STANDING COUNSEL

THE HON'BLE MR. JUSTICE D.H. NASIR
VICE CHAIRMAN

THE HON'BLE MR. R. RANGARAJAN
MEMBER (ADMN)

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

DATE OF ORDER 13/03/2000

MA/RA/CF. NO

IN

G.A. NO. 626/99

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

C.P. CLOSED

R.A. CLOSED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDER/REJECTED

NO ORDER AS TO COSTS

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
दिल्ली / DESPATCH

24 MAR 2000

हैदराबाद न्यायपीठ
HYDERABAD BENCH