

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:  
HYDERABAD

O.A.No.1248 of 1999.

DATE OF ORDER:30-8-1999.

BETWEEN:

N.Prasad Babu.

....Applicant

a n d

1. The Divisional Railway Manager,  
South Central Railway, Vijayawada.
2. The Senior Divisional Personnel Officer,  
South Central Railway, Vijayawada.

...Respondents

COUNSEL FOR THE APPLICANT :: Mr.J.M.Naidu

COUNSEL FOR THE RESPONDENTS:: Mr.J.R.Gopal Rao

CORAM:

THE HON'BLE SRI JUSTICE D.H.NASIR, VICE CHAIRMAN

THE HON'BLE SRI R.RANGARAJAN, MEMBER (ADMN.)

: O R D E R :

ORAL ORDER (PER HON'BLE SRI R.RANGARAJAN, MEMBER (A) )

Heard Mr.J.M.Naidu, learned Counsel for the Applicant  
and Ms.Shakti for Mr.J.R.Gopal Rao, learned Standing  
Counsel for the Respondents.

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2. A notification.1/99 bearing No.B/P.563/RC/RT/98, dated:10-5-1999, (Annexure.IX, page.15 to the OA), was issued calling for applications for direct recruitment of Physical Trainee Instructor in the scale of Rs.5050-9000/- (RSRP). It is stated that the applicant applied for the same. He further submits that in the notification there is no mention regarding reservation. Hence, the post has to be filled by unreserved. He submits that he was not called for the Interview.

3. This OA is filed praying for a direction to the respondents to consider the case of the applicant for the post of Physical Trainee Instructor along with others.

4. The learned Counsel for the Respondents submits that there is nothing on record to show that the applicant was not called for the Selection. It is only an apprehension. Hence, there is no need to pass any orders in this OA.

5. It is a fact that the applicant apprehends that he will not be called for the Selection for the post for which advertisement was issued by notification no.1/99. Wide publicity <sup>has been</sup> ~~was~~ given for Selection and the Apex Court also held that even those who are not sponsored by the Employment Exchange, if they apply in response to the notification, they should be considered.

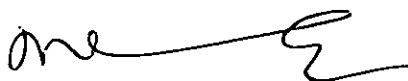
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6. In view of the above, there should be no reservation on the part of the respondents to consider the case of the applicant if he is otherwise found fit and there is no short-listing of candidates due to the very large number of candidates responded to the notification and the applicant does not come within the short-listed candidates.

7. With the above direction, the OA is disposed of directing the respondents to consider the case of the applicant in accordance with the above observations. No costs.



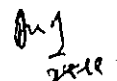
( R.RANGARAJAN )  
MEMBER (ADMN.)



( D.H.NASIR )  
VICE CHAIRMAN

DATED: this the 30th day of August, 1999

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Dictated to steno in the Open Court



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DSN

IST AND IT NO COURT

15/9/99

COPY TO :-

1. HDHND
2. HRRN M (A)
3. HBSJP M (J)
4. D.R. (A)
5. SPARE
6. ADVOCATE
7. STANDING COUNSEL

TYPED BY  
COMPARED BY

CHECKED BY  
APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH : HYDERABAD.

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

THE HON'BLE MR. R. RAJAGOPALAN I.  
MEMBER (ADMN.)

THE HON'BLE MR. S. S. JAI PARAMESWAR:  
MEMBER (JUDL)

\* \* \*

DATE OF ORDER: 30/8/99

MA/RA/CP NO.

IN

CA. No. 1248/99

ADMITTED AND INTERIM DIRECTIONS  
ISSUED

ALLOWED

CP CLOSED

RA CLOSED

CA CLOSED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED / REJECTED

NO ORDER AS TO COSTS

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