

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
JAIPUR BENCH

Jaipur, this the 7th day of April, 2011

CORAM:

HON'BLE MR. JUSTICE K.S.RATHORE, MEMBER (JUDL.)
HON'BLE MR. ANIL KUMAR, MEMBER (ADMV.)

Original Application No.08/2007

Ram Ratan Nagar
s/o Shri Dwarka Lal,
Senior Trains Clerk,
under Station Superintendent,
Railway Station, Morak, Kota Division,
r/o Indraprastha Colony,
Block-B, Ramganj Mandi,
Distt. Kota.

.. Applicant

(By Advocate: Shri S.S.Ola, proxy counsel for Shri P.V.Calla)

Versus

1. Union of India
through General Manager,
West Central Railway,
Jabalpur.
2. Divisional Railway Manager,
Kota Division,
Kota Junction.
3. Shri Bachchu Singh
4. Shri Kailash Chand
5. Shri Ramesh Chand Meena
6. Shri Shafi Mohammed
7. Shri Mahendra Singh



(All the private respondents No. 3 to 7 are under training at Zonal Training Centre Bhusawar. However, their service can be affected through Senior Divisional Operating Manager, Kota Division, Kota)

.. Respondents

(By Advocate: Shri Anupam Agarwal)

Original Application No.24/2007


1. Hemant Chaturvedi s/o late Shri M.C. Chaturvedi, Senior TNC, Office of Station Manager, Kota r/o Rangpur Road No.4, Opposite Aata Chakki, Bheemganj Mandi, Dadwara, Kota.
2. Eric Alexander Joseph s/o Late Shri Alenxander Joseph at present Senior TNC, O/o CTNL, Kota r/o Q.No. 0175-A Old Railway Colony, Kota.
3. Sohan Lal Meena s/o Shri Nathu Lal Ji Meena, Senior TNC, Office of Station Superintendent, Sakatpura (KTPS), Kota Station r/o C/o Venishanker Soni, Opposite Ambika School, Sakatpura, Kota.
4. Virendra Kumar Meena s/o late Shri Ranjeet Ji Meena, at present Senior TNC, Office of Station Manager, Kota r/o Railway Quarter No.85-A, Old Railway Colony, Kota.
5. Riaz Ahmed Khan s/o late Shri Maqsood Ahmed Khan, Senior TNC O/o CTNL, Kota r/o Rangpur Road, Vikar Colony Road No.3, Dadwara, Kota.
6. Hitesh Kumar Solanki s/o Shri S.M.Solanki, at present Senior Courier, O/o Senior CDM, Kota r/o Mahaveer Colony, Rangpur Road, Kota Junction.

.. Applicants

(By Advocate: Mr. S.S.Ola, proxy counsel for Shri P.V.Calla)

Versus

1. Union of India
through General Manager,



West Central Railway,
Jabalpur.

2. The Divisional Railway Manager,
Kota Division,
Kota Junction.
3. Shri Bachchu Singh
4. Shri Kailash Chand
5. Shri Ramesh Chand Meena
6. Shri Shafi Mohammed
7. Shri Mahendra Singh
8. Shri Pradeep Kumar Varun
9. Shri Pramod Kumar Verma

(All the private respondents No. 3 to 7 are under training at Zonal Training Centre Bhusawar. However, their service can be affected through Senior Divisional Operating Manager, Kota Division, Kota)

.. Respondents

(By Advocate: Shri Anupam Agarwal)

ORDER (ORAL)

Since similar controversy is involved in these cases, as such these are being disposed of by this common order.

2. In these cases the applicants sought relief to issue directions to the respondents to prepare the panel strictly on the basis of seniority amongst the candidates declared pass in the written test.
3. This court vide order dated 25.3.2011 directed the respondents to produce the relevant record for perusal. The same was placed for perusal and we have perused the record. As per the record, it



appears that a panel of 21 meritorious candidates was prepared for the post of Goods Guard. Upon perusal of record, it also appears that at Sl.No.22 name of applicant Ram Ratan Nagar find place and at Sl.No.23 name of applicant Hemant Chaturvedi find place and names of other applicants appear below the names of these applicants, thus, they were not given appointment on the post of Goods Guard.

4. The main thrust of the applicants is on the letter dated 17.11.2000 (Ann.A/2) which is nothing but a list of successful candidates who were declared successful in the written examination. In this list, name of applicant Hemant Chaturvedi find at Sl.No.18 and name of applicant Ram Ratan Nagar find place at Sl.No.30 and names of other applicant have been mention at different serial numbers and the applicants treated this list as seniority list prepared by the respondents whereas it was made clear in Ann.A/2 itself that this is merely the result of the written examination and it is not a merit list. The merit list which we have examined is prepared on the basis of the marks obtained by the successful candidate and as per the merit list a panel of 21 candidates for the post of Goods Guard was prepared wherein the name of applicants Ram Ratan Nagar and Hemant Chaturvedi find place at Sl.No.22 and 23 and name of other applicants find below the name of these two applicants and thus, their names were not included in the panel.

5. We, therefore, find no merit in these OAs which are accordingly fail and dismissed with no order as to costs.



6. In view of the order passed in the OA, no order is required to be passed in MA No.31/2007 is accordingly dismissed.

Anil Kumar

(ANIL KUMAR)
Admv. Member

J.C.S. Rathore

(JUSTICE K.S.RATHORE)
Judl. Member

R/