

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

O.A.No.114/95

Date of order: 27/4/2000

1. Panna Singh, S/o Sh.Amar Singh
2. Babu, S/o Shri Bana
3. Smt.Savri, D/o Sh.Arjun Singh
4. Ehem, S/o Shri Pokro
5. Sanu. S/c Shri Nyraj
6. Mukaran, S/c Shri Vaumeli
7. Phulelal, S/o Shri Nirakar
8. Sudhir, S/c Shri Daru
9. Nirakar, S/o Shri Budar
10. Savitri, D/o Shri Suvarna
11. Purushottam, S/o Shri Saibo
12. Trilochan, S/o Shri Vanumali
13. Durja, S/o Shri Ugrey
14. Ratna, S/o Shri Amatha
15. Varun, S/o Shri Lakhan
16. Raju Singh, S/o Shri Prem Singh
17. Kokila, S/c Shri Trilochan

Employed on the post of Gangman under CPWI(South) Kota Division, W.Rly.

...Applicants.

Vs.

1. Union of India through General Manager, Western Rly, Church Gate, Bombay.
2. Divisional Railway Manager, W.Rly, Kota Divn., Kota.
3. Sr.Divisional Engineer(E) W.Rly, Kota Divn, Kota.
4. Sr.Divisional Personnel Officer, W.Rly, Kota Divn, Kota.

...Respondents.

Mr.Shiv Kumar - Counsel for the applicant

Mr.M.Rafiq - Counsel for respondents.

CORAM:

Hon'ble Mr.S.K.Agarwal, Judicial Member

PER HON'BLE MR.S.K.AGARWAL, JUDICIAL MEMBER..

In this Original Application under Sec.19 of the Administrative Tribunals Act, 1985, the applicant makes a prayer to direct the respondents to screen the applicant No.17 and to declare the results of the screening conducted in pursuance of order at Annx.A2 and further to direct the respondents to interpolate the names of the applicants in panel and to allow all consequential benefits to them according to the result of screening.


2. Reply was filed. In the reply, it has been stated that a combined seniority list of Project Casual Labourers was published on 16.11.92 and seniority position of the applicants was shown as given in para No.4.3 of the reply. It is further stated that in the combined seniority list dated 16.11.92, the Project Casual Labourers upto Sl.No.433 were called for screening but the name of applicant No.17 appeared at Sl.No.766 in that list, therefore, she was not called for screening. It is also stated that options were invited from the Project Casual Labourers, including the applicants but the applicants did not submit their option for Kota Division on the contrary they submitted their option for Rajkot/Bhavnagar Divisions. No options were given by applicants No.11,12 & 15, therefore, names of the applicants were not included in the office letter dated 8.4.94. It is also stated that screening of CTR Project Casual Labourers was conducted on 17.9.93, 27.9.93 and 30.9.93 and those who were found suitable were given regular appointment vide order dated 7.5.94 and the applicants were not given the benefit for the reasons as mentioned above. It is also stated that Kota Division has written a letter to Bhavnagar Division to fix fresh date for screening of the applicants but no reply was received. Therefore, the action of the respondents cannot be called as arbitrary or in violation of the principles of natural justice and the applicants are not eligible for any relief as sought for.

3. No rejoinder was filed by the applicants.

4. Heard the learned counsel for the parties and also perused the whole record.

5. On the basis of the detailed reply filed by the respondents to which no rejoinder has been filed to controvert the facts stated by the respondents, I am of the considered opinion that the action of the respondents is neither arbitrary, nor in violation of Articles 14 and 16 of the Constitution of India, therefore, this O.A having no merits is liable to be dismissed.

6. I, therefore, dismiss the O.A with no order as to costs.


 (S.K. Agarwal)
 Member(J).