

(8)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,  
JAIPUR BENCH, JAIPUR

Date of order: 23-7-1996

OA No. 419/95

N.K.Shivhare

.. Applicant

Versus

Union of India and Others .. Respondents

Mr. W.Wales, counsel for the applicant

Mr. Manish Bhandari, counsel for the respondents

CORAM:

Hon'ble Mr. O.P.Sharma, Administrative Member

Hon'ble Mr. Ratan Prakash, Judicial Member

ORDER

Per Hon'ble Mr. O.P.Sharma, Administrative Member

In this application under Section 19 of the Administrative Tribunals Act, 1985, the applicant Shri N.K.Shivhare has prayed for quashing statements 'A' and 'B' enclosed with letter dated 6-6-1995 (Ann.A1) (pages 17 to 20 of the paper book) prepared by respondent No.1 as being illegal and contrary to the provisions of the Indian Railway Establishment Manual, Vol.I. The applicant has sought a further direction to respondent No.1 to amend the statements 'A' and 'B' placing the applicant's name in statement 'A' considering him as senior and eligible for appearing in the selection test for the post of Assistant Statistical Officer. There is also a prayer for interim relief to the effect that during the pendency of the OA, the respondent No.1 may be directed to allow the applicant to appear in the ensuing selection test for the post of Assistant Statistical Officer on a provisional basis.

2. We have heard the learned counsel for the parties and have perused the material on record.

(W)

(9)

3. By order dated 4-3-96 passed in MA No. 103/96 filed by the applicant, a direction was issued by the Tribunal that the applicant shall be allowed to appear in the selection test for the post of Assistant Statistical Officer on a provisional basis. The learned counsel for the applicant has stated today before us that a supplementary written test for selection for the post of Assistant Statistical Officer, a Group-B post, was held on 29-6-96 at Bombay. The applicant had appeared in the said selection test. He has, however, not qualified therein as per the communication dated 11-7-96 issued by the General Manager, Western Railway, Churchgate, Bombay. The learned counsel for the applicant states that since the applicant has not qualified in the written examination, he does not want to pursue this OA further. The OA is accordingly dismissed at the stage of admission. No order as to costs.

  
(Ratan Prakash)

Judicial Member

  
(O.P. Sharma)

Administrative Member