

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORIGINAL APPLICATION NO. 291/00741/2016

DATE OF ORDER: 06.10.2016

CORAM

**HON'BLE MR. SANJEEV KUMAR KAUSHIK, JUDICIAL MEMBER
HON'BLE MS. MEENAKSHI HOOJA, ADMINISTRATIVE MEMBER**

Madan Lal Gurjar S/o Shri Hazari Lal, aged about 33 years, R/o Village & Post Kableshwar, Tehsil Dausa District Dausa.

....Applicant

Mr. Govind Sharma, counsel for applicant.

VERSUS

1. Union of India through Chairman, Ministry of Railway (Railway Board), Rail Bhawan, New Delhi.
2. Assistant Personnel Officer, Railway Recruitment Cell, Central Railway, Chief Project Manager (Conv)'s Office Building, Goods Shed, Wadibunder, P.D. Mello Road, Mumbai 400 010.

....Respondents

ORDER

(Per MR. SANJEEV KUMAR KAUSHIK, JUDICIAL MEMBER)

Heard learned counsel for the applicant.

2. The present Original Application has been filed by the applicant seeking the following reliefs:

"(i) the letter dated 9.3.2016 (Annex. 1) may kindly be declared invalid and arbitrary and be quashed and set aside.



- (ii) They may be further directed to offer appointment to the applicant in group-D post for which he is rightly entitle for the same.
- (iii) Cost of the O.A. may also be awarded in favour of the applicant.
- (iv) Any other directions and orders which are, deem proper in the facts and circumstances of the case may kindly be allowed to the applicant. "

3. The facts which lead to filing of the present O.A. are that the respondents notified vacancies of Group-D posts vide employment notice No. 1/2007. The applicant was allowed to participate in the selection process and thereafter he was also allowed to undergo medical examination in the year 2011. Subsequent to that, as submitted by the applicant, he was not offered appointment. Thereafter, for the first time, he moved an application dated 24.02.2016 under Right to Information Act, 2005, soliciting certain information which was replied to by the respondents vide Annexure A/1 dated 09.03.2016 and subsequently on Appeal he was also informed vide letter dated 25th May, 2016.

4. We have gone through the pleadings and we are of the considered view that the O.A. deserves to be dismissed on the ground of delay and laches because the vacancy was notified in the year 2007, the result of which was declared in the year 2011 and the applicant chose to challenge the action of the respondents by filing the present O.A. in the year 2016 only that too without explaining the delay in filing the O.A. by filing an M.A. Moreover, the applicant is not impugning any order passed by the respondents on his claim, rather he is challenging an information supplied to him under Right to Information Act.

Therefore, we find no reason to entertain this Original Application at this belated stage. Accordingly, the Original Application is dismissed on the ground of delay and laches. No order as to costs.



(MS. MEENAKSHI HOOJA)
ADMINISTRATIVE MEMBER



(SANJEEV KUMAR KAUSHIK)
JUDICIAL MEMBER

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