

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

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Date of Decision: 31/1/2003

OA 356/97

1. Smt. Madhu Bai w/o Chandra Mohan c/o Shri Chandra Mohan, Station Supdt., Shamgarh Railway Station, W/Rly, Kota.
2. Smt. Bhagwati Devi w/o Shri Jai Karan r/o Nehru Nagar Harijan Basti, Kota Jn.
3. Smt. Vimla Devi w/o Shri Brij Mohan r/o Quality General Stores, Samsan Road, Sanjay Nagar, Kota Jn.
4. Smt. Babby w/o Shri Sishupal c/o Shri Hemchand Panwar, Nehru Nagar, Kota Jn.
5. Deepak Chand s/o Shri Kannai Lal r/o Machis Factory, Harijan Basti, Kota Jn.
6. Sarwan Kumar s/o Shri Kannai Lal r/o Machis Factory, Harijan Basti, Kota Jn.
7. Smt. Gulab Bai w/o Shri Rajesh Kumar r/o Machis Factory, Harijan Basti, Kota Jn.
8. Smt. Shakuntala Bai w/o Shri Ramesh r/o Railway Medical Colony, Kota Jn.
9. Ganesh Lal s/o Late Shri Sunder 'S' r/o Harijan Basti, Village & Post Khera Rashalpur, Distt. Kota.

... Applicants

Versus

1. Union of India through General Manager, W/Rly, Churchgate, Mumbai.
2. Divisional Rly Manager (E), Kota Division, Kota Jn.
3. The Selection Board through Dr. Manish Kackar, Divisional Medical Officer, W/Rly, Kota, and other members.
4. Rajendra Kumar s/o Shri Ghazi Lal
5. Anil James
6. Mukesh s/o Shri Babu Lal, near Rangpur Road, Machis Factory, Harijan Basti, Kota Jn.
7. Smt. Lachhan Bai w/o Shri Dinesh Chawaria
8. Santosh Darokar s/o Shri Shanker Darokar
9. Shri Megh Singh s/o Shri Phaguni
10. Shri Laxman Singh s/o Shri Hari Chand
11. Smt. Rajjo Gehlot w/o Shri Moti Lal

All private respondents through Divisional Railway Manager (Estt), W/Rly, Kota Jn.

... Respondents

CORAM:

HON'BLE MR.A.P.NAGRATH, ADM.MEMBER

HON'BLE MR.J.K.KAUSHIK, JUDL.MEMBER

For the Applicants

... Mr.P.V.Calla

For Respondents No.1to3

... Mr.Hemant Gupta, proxy counsel  
for Mr.M.Rafiq

For Respondent No.6

... Mr.Mukesh Sharma

For Respondent No.7

... Mr.D.K.Swamy

For other Respondents

... None

O R D E R

PER HON'BLE MR.A.P.NAGRATH, ADM.MEMBER

In this OA the applicants, who are nine in number, have challenged the result of recruitment against 115 posts of Safaiwala, which was declared on 6.8.97 (Ann.A/1). The prayer has been made to declare the said order as illegal and to quash the appointments offered to respondents No.4 to 11, who were recruited by virtue of the said order:

2. This case is on all fours in respect of the facts and controversy covered in OA 410/97, which was decided on 8.4.99. The same recruitment process was impugned therein and the grounds taken to challenge the process were exactly similar. For the reasons discussed in that OA, we are inclined to pass the same order as was done by this Tribunal in that case.

3. We, therefore, hold that the process of selection, qua the private respondents, is vitiated on the ground that there was intervention of another Selection Committee consisting of three other members deputed by the Railway Board and the persons who had earlier been not found eligible were also called for interview. We, therefore, quash the impugned result at Ann.A/1 dated 6.8.97 in so far as it relates to private respondents No.4 to 11. The official respondents are, however, free to conduct a fresh selection for the post of Safaiwala in accordance with the rules, instructions and guidelines on the subject.

4. The OA stands disposed of accordingly with no order as to costs.

*J.K.Kaushik*  
(J.K.KAUSHIK)  
MEMBER (J)

*A.P.Nagrath*  
(A.P.NAGRATH)  
MEMBER (A)