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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

* * *

Date of Decision: 12.4.1999

OA 61/99

Rajesh Tiwari s/o Shri Kishan Tiwari r/o Quarter No.385-B, Railway Colony,
Phulera, Rajasthan.

... Applicant

Versus

1. Union of India through General Manager, Western Railway, Churchgate, Mumbai.
2. D.R.M., Western Railway, Jaipur Division, Jaipur.

... Respondents

CORAM:

HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

HON'BLE MR.GOPAL SINGH, ADMINISTRATIVE MEMBER

For the Applicant

... Mr.P.V.Calla

For the Respondents

... Mr.U.D.Sharma

O R D E R

PER HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

Applicant, Rajesh Tiwari, has filed this application under Section 19 of the Administrative Tribunals Act, 1985, seeking a direction to the respondents to consider his candidature for appointment to the post of Diesel Cleaner.

2. We have heard the learned counsel for the parties. Counsel for the parties have agreed to this matter being disposed of at the stage of admission.

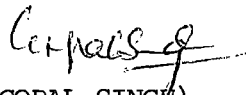
3. In terms of an interim direction of the Tribunal dated 5.2.99, the applicant was allowed provisionally to appear in the written test, held on 7.2.99, for appointment to the post of Diesel Cleaner. It has been urged on behalf of the applicant that the applicant being eligible for appointment to the post of Diesel Cleaner scale Rs.2550-3200 had applied in the prescribed form for the said post pursuant to a notification dated 6.8.98 and the said application, as contended by the applicant, was sent under Registered A.D. cover on 1.9.98 and the same was received in the office of the Assistant Personnel Officer well in time. The respondents have stated that the application was not received in the office of respondents No.2 and 3. The learned counsel for the respondents has stated that after a thorough search the application could be traced and the counsel for the applicant was duly informed. It is further stated by the learned counsel for the respondents that the applicant's application was not routed through proper channel.

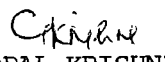
CAK/RR

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However, the applicant was allowed provisionally to appear in the written test held on 7.2.99 for the post of Diesel Cleaner. The applicant, bearing Roll No.1596, is placed at Sl.No.1441 in the order of merit, as indicated by the result-sheets produced before us by the respondents today. The applicant does not fall within the zone of consideration for being called for the interview.

4. In the result, this application fails. It is dismissed, at the stage of admission, with no order as to costs.


(GOPAL SINGH)
ADM.MEMBER


(GOPAL KRISHNA)
VICE CHAIRMAN

VK