

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

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Date of Decision: 08.01.2004

OA 270/2003

Amar Singh Swarankar, ELF Gr.III, Diesel Shed, Phulera, North-Western Railway, Jaipur.

... Applicant

Versus

1. Union of India through General Manager, North Western Railway, Jaipur.
2. Divisional Railway Manager, North Western Railway, Jaipur Division, Jaipur.

... Respondents

CORAM:

HON'BLE MR.M.L.CHAUHAN, MEMBER (J)

HON'BLE MR.A.K.BHANDARI, MEMBER (A)

For the Applicant

... Mr.Surendra Singh

For the Respondents

... Mr.Shailesh Prakash Sharma

ORDER (ORAL)

The applicant has filed this OA thereby praying for the following reliefs :

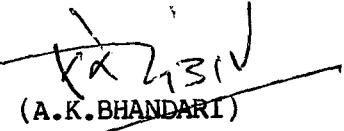
- "a) That it may kindly be declared by appropriate order, direction to this effect that the ground for rejecting applicant's candidature is unjust, arbitrary, capricious, improper and unwarranted as he has completed successfully three years as skilled artisans (Electrical).
b) That it be declared that applicant is eligible candidate to appear in the examination to be conducted on 22.6.2003 or any other date for promotion to the post of Diesel Chargeman (Electrical) in pay scale Rs.5000-6000."
2. The grievance of the applicant is that his name has not been included in the select list prepared for the purpose of selection to the post of Diesel Chargeman (Electrical) solely on the ground that he has not put in three years of service in the Unit in which he is presently working, though he has put in three years of service as Technician Grade-III (Electrical Wing) in the Railway and it is not the requirement of the rules that the person should have put in three years of service in the same Unit. Based on this grievance, the applicant has filed the present OA.
3. When the matter was listed for admission on 13.6.2003, this Tribunal granted interim relief to the applicant and directed the

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respondents to allow the applicant to appear provisionally in the written test to be held on 22.6.2003. It was further observed that the result in respect of applicant may not be declared till further orders.

4. The respondents have filed their reply. In the reply it has been stated that pursuant to the order dated 13.6.2003, passed by this Tribunal, the applicant was allowed to appear in the written test on 22.6.2003. It is further stated in the reply that on account of some administrative reason the notification dated 14.5.2003, by which the applicant was precluded from appearing in the written test, has already been cancelled vide office order dated 14.8.2003 (Ann.R/2).

5. In view of the submission made by the learned counsel for the respondents, the present OA does not survive. Accordingly, the same is dismissed as having become infructuous.


(A.K.BHANDARI)

MEMBER (A)


(M.L.CHAUHAN)

MEMBER (J)