

FORM NO. 4
(See Rule 42)

In The Central Administrative Tribunal

GUWAHATI BENCH : GUWAHATI

ORDER SHEET
APPLICATION NO.

77 OF 1998

Applicant(s) Shri. K. Mazumdar & ~~Ans.~~
-VS-

Respondent(s) Union of India & ORS

Advocate for Applicant(s) Mr. D. S. Bhattacharyya
Mr. S. Sarma

Advocate for Respondent(s) Mr. J. L. Sarkar, Rly. Sec

Notes of the Registry	Date	Order of the Tribunal
<p>as application is in form and within time C. F. of Rs. 50/- deposited vide IPO BD No. 754/04 Dated ... 1.3.4.98</p> <p>In 2d <i>[Signature]</i> 28/4 28/4</p> <p>Registrar 28/4/98</p> <p>Requisite 5 copies have been filed.</p> <p>28/4 28/4</p> <p><i>[Signature]</i> 28/4/98 Registrar</p>	29.4.98	<p>In this application the applicants have challenged the Annexure-E Corrigendum dated 27.3.1998. The short facts are:-</p> <p>The applicants belong to Scheduled Caste community. They were selected for appointment to the post of Traffic Apprentice. A select list was published on 26.3.98 and a day after by a corrigendum their names were cancelled and two new names were included in the said list. According to the applicants those persons whose names were later on included were not qualified in the interview. Therefore, the cancellation of the names of the applicants from the select list and inclusion of the names of those persons according to the applicants is illegal, arbitrary and contrary to the rules. Being aggrieved the applicants submitted Annexure-F representation dated 3.4.1998 to the Railway Minister</p>

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<p>✓</p> <p>12.5.98</p> <p>Copy of the order along with the copy of the application have been sent to the office for issuing the same to the parties through Regd. Mail A.D. No. 1286-1690 dated 14/5/98.</p> <p>Furnish a copy of this order to Mr J.L.Sarkar to enable him to take necessary steps.</p> <p>By order <i>[Signature]</i> 29.4.98</p> <p>pg 25 30/A</p> <p><i>[Signature]</i> RA, 1/5/98.</p> <p><i>[Signature]</i> 1/5/98.</p>	<p>29.4.98</p>	<p>with copy to the General Manager(P), N.F.Railway, Maligaon. However, the said representation has not yet been disposed of. The applicants have come to know that the authority is going to issue appointment letters to the respondents No.4 and 5.</p> <p>Heard Mr D.S.Bhattacharya, learned counsel appearing on behalf of the applicants and Mr J.L.Sarkar, learned Railway standing counsel for the respondents. On hearing the counsel for the parties, we feel it expedient to dispose of the case with a direction to the respondents to dispose of the representation as early as possible ^{at any rate} within a period of one month from today. The applicants may also file a fresh representation before the Chairman, Railway Recruitment Board, Guwahati within two days from today. If such representation is filed the respondent No.2 shall also dispose of the representation as early as possible at any rate within a period of one month from the date of receipt of the representation. Meanwhile the respondents shall not make appointment in respect of those two posts of Traffic Apprentice till disposal of the representation. If the applicants are still aggrieved they may approach the appropriate authority.</p> <p>Application is disposed of with the above order.</p> <p>Considering the entire facts and circumstances of the case however, we make no order as to costs.</p> <p><i>[Signature]</i> Member</p> <p><i>[Signature]</i> Vice-Chairman</p>