

Central Administrative Tribunal  
Jabalpur Bench: Jabalpur

OA No.694/2003

Jabalpur this the 31st day of October, 2003.

Hon'ble Mr. Shanker Raju, Member (J)

Hon'ble Mr. Sarveshwar Jha, Member (A)

Kantilal Barmecha,  
Chief Luggage Clerk,  
Western Railway,  
Ratlam.

-Applicant

(By Advocate -None)

-Versus-

Union of India through  
General Manager, Western Railway,  
Churchgate, Mumbai & ANR.

-Respondents

(By Advocate Shri M.N. Banerjee)

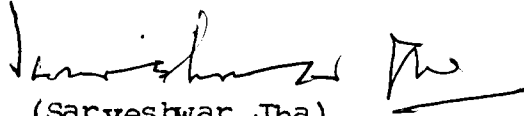
ORDER (ORAL)

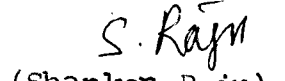
Mr. Shanker Raju, Member (J):

Vide order dated 8.10.2003 OA has been kept for consideration on maintainability. Earlier on challenge to the selection Tribunal in OA-629/96 set aside the selection and directed fresh selection proceedings to be held. The aforesaid decision was challenged before the High Court of Madhya Pradesh at Indore and by an order dated 7.5.2002 on hearing the parties status quo has been maintained.

3. What has been challenged in the present OA is the fresh selection undertaken by the respondents where applicant had participated. As the selection process is yet to be finalised it is pre-mature for applicant to assail the selection without alleging any mala fides or violation of the rules. The Outcome of the CWP will govern the fate of applicant who participated in the earlier selection.

4. Giving liberty to applicant to assail any fresh cause of action in pursuance of finalisation of selection proceedings OA is dismissed as pre-mature and not maintainable.

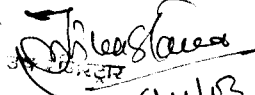
  
(Sarveshwar Jha)  
Member (A)

  
(Shanker Raju)  
Member (J)

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Filed  
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6/11/03

S2 Vishwakarma, Adv.  
MN Dainyasa, Adv.  
  
6/11/03