

CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH

OA No.265/2005.

Jaipur, this the 19th day of September, 2006.

CORAM : Hon'ble Mr. M. L. Chauhan, Judicial Member.
Hon'ble Mr. J. P. Shukla, Administrative Member.

Smt. Madhulika Rathore
W/o Shri Mahipal Singh,
Aged about 46 years,
R/o 75, Adarsh Nagar,
Ajmer.

... Applicant.

By Advocate : Shri C. B. Sharma.

Vs.

1. Union of India through
General Manager, North Western Zone,
North Western Railway,
Jaipur 302 006.
2. Chief Personnel Officer,
Office of General Manager,
North Western Zone, Western Railway,
Jaipur 302006.
3. Chief Works Manager,
North Western Railway,
Ajmer.

By Advocate : Shri Anupam Agarwal.

: O R D E R (ORAL) :

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

"(i) That the entire record relating to the case be
called for and after perusing the same the
respondents be directed to treat the applicant as
eligible for the selection to the post Assistant
Rajbhasha Officer in the scale of Rs.7500-12000 and
respondents be further directed to conduct
supplementary examination in which applicant be
allowed to appear.

(ii) That the respondents may be further directed not to finalized selection process for promotion to the post of Assistant Raj-Bhasha Officer without considering candidature of the applicant by way of supplementary written examination and further selection process.

(iii) Any other order, direction or relief may be passed in favour of the applicant which may be deemed fit, just and proper under the facts and circumstances of the case.

(iv) That the costs of this application may be awarded."

2. Notice of this application was given to the respondents. Respondents have not filed reply. The respondents have filed an application thereby stating that the respondents despite of their best effort cannot complete the process of selection till date. Accordingly, the competent authority has decided to cancel the notification along with selection procedure. Respondents have also annexed a copy of notification so issued on 25.7.2006 along with MA as Annexure MA/1. The said MA is taken on record and Registry is directed to register the same.

3. In view of this subsequent development, the present application does not survives and has become infructuous. Accordingly, the OA as well MA stands disposed of. Learned Counsel for the applicant submits that in view of the fact that the respondents have cancelled the examination, liberty may be reserved to the applicant to challenge the said notification, if any and disposal of this OA will not come in his way to file substantive OA

subsequently. Since the notification dated 25.7.2006 whereby the examination has been cancelled was not a subject matter in this OA, it is always open for the applicant to challenge the said notification by filing substantive OA.


(B. P. SHUKLA)
ADMINISTRATIVE MEMBER


(M. L. CHAUHAN)
JUDICIAL MEMBER

P.C./