

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
JAIPUR BENCH, JAIPUR.

Jaipur, the 14th day of August, 2008

ORIGINAL APPLICATION NO.131/2007

CORAM :

HON'BLE MR.M.L.CHAUHAN, JUDICIAL MEMBER
HON'BLE MR.B.L.KHATRI, ADMINISTRATIVE MEMBER

1. Misss Rekha Verma,
Hamal Khalasi (Group-D),
E/M Section Office of DRM,
North Western Railway,
Ajmer Division,
Ajmer.
2. Smt.Lalita Sharma,
Senior Peon,
O/o DRM,
North Western Railway,
Ajmer Division,
Ajmer.

... Applicants

(By Advocate : Shri C.B.Sharma)

Versus

1. Union of India through
General Manager,
North Western Zone,
North Western Railway,
Jaipur.
2. Divisional Railway Manager,
North Western Railway,
Ajmer Division,
Ajmer.
3. Sr.Dvl.Personnel Officer,
North Western Railway,
Ajmer Division,
Ajmer.

... Respondents

(By Advocate : Shri Anupam Agarwal)

ORDER (ORAL)

PER HON'BLE MR. M. L. CHAUHAN

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


- "(i) That the entire record relating to the case be called for and after perusing the same the respondents be directed to declare result of examination dated 29.1.2007 to the post of Clerk in the scale of Rs.3050-4590 by quashing letter dated 2.4.2007 (Ann.A/1) with all consequential benefits.
- (ii) That the respondents be further directed to promote the applicants to the post of Clerk in the scale of Rs.3050-4500 if they declared successful in the selection process with all consequential benefits."


2. Briefly stated, facts of the case are that respondents issued a notification for examination to the post of Clerk under rankers quota vide order dated 14.8.2006 (Ann.A/2). The applicants being eligible, as per eligibility list prepared vide order dated 1.11.2006 (Ann.A/3), appeared in the said examination. The respondents further ordered for conducting supplementary examination on 30.3.2007. However, vide order dated 2.4.2007 (Ann.A/1), the main as well as supplementary examinations have been cancelled by the respondents without giving any reason therefor. The applicants have filed this OA thereby stating that the action of the respondents is arbitrary and in violation of the instructions issued by the Railway Board.

3. The respondents have filed their reply. In the reply the respondents have not indicated the reason which prevailed them for canceling the aforesaid examinations. However, alongwith the reply, the respondents have placed on record a copy of the judgement dated 23.4.2007, passed in OA 80/2007 [Praveen Kumar v. Union of India & Anr.], whereby the examination which was conducted on 25.4.2007, which is also the subject matter of dispute in this OA, was also cancelled by the same order i.e. vide order dated 2.4.2007, and the Jodhpur Bench of the Tribunal

in the aforesaid case has upheld the action of the respondents and dismissed the OA filed by the applicant therein in limine.

4. In view of the judgement rendered by the Jodhpur Bench in the case of Praveen Kumar (supra), which we are bound to follow, we are of the view that no relief can be granted to the applicants. Accordingly, the OA is dismissed with no order as to costs.


(B.L. KHATRI)
MEMBER (A)


(M.L. CHAUHAN)
MEMBER (J)

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