

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
JAIPUR BENCH

Jaipur, this the 25th day of March, 2011

CORAM:

HON'BLE MR. JUSTICE K.S.RATHORE, MEMBER (JUDL.)
HON'BLE MR. ANIL KUMAR, MEMBER (ADMV.)

Original Application No.112/2011

Rajkumar Singh Rajawat
s/o Shri Bhanwar Singh,
r/o Ganesh Nagar-B,
Mantown, Sawaimadhopur.

.. Applicant

(By Advocate: Shri V.K.Mathur)

Versus

1. Union of India
through Secretary,
Ministry of Railway,
Rail Bhawan,
Government of India,
New Delhi.
2. Railway Recruitment Cell,
West Central Railway,
RB-III/422, 1&2 Nehru Railway Colony,
Howbagh, Jabalpur through its
Assistant Personnel Officer (Recruitment).
3. Deputy Chief Personnel Officer (Recruitment),
Railway Recruitment Cell,
West Central Railway Cell,
Jabalpur.

.. Respondents

(By Advocate:)

Original Application No.113/2011

Praveen Singh Sisodia
s/o Shri Saroj Pal Singh Sisodia,
c/o Dev Raj Singh,
251-A, Old Railway Colony,
Kota, Rajasthan.

.. Applicant

(By Advocate: Shri V.K.Mathur)

Versus

1. Union of India
through Secretary,
Ministry of Railway,
Rail Bhawan,
Government of India,
New Delhi.
2. Railway Recruitment Cell,
West Central Railway,
RB-III/422, 1 & 2 Nehru Railway Colony,
Howbagh, Jabalpur through its
Assistant Personnel Officer (Recruitment).
3. Deputy Chief Personnel Officer (Recruitment),
Railway Recruitment Cell,
West Central Railway Cell,
Jabalpur.

.. Respondents

(By Advocate:)

Original Application No.114/2011

Pawan Kumar
s/o Vijay Singh,
r/o Jatwada (Mantown),
Distt. Sawaimadhopur.

.. Applicant

(By Advocate: Shri V.K.Mathur)

Versus

1. Union of India
through Secretary,
Ministry of Railway,
Rail Bhawan,
Government of India,
New Delhi.
2. Railway Recruitment Cell,
West Central Railway,
RB-III/422, 1 & 2 Nehru Railway Colony,
Howbagh, Jabalpur through its
Assistant Personnel Officer (Recruitment).
3. Deputy Chief Personnel Officer (Recruitment),
Railway Recruitment Cell,
West Central Railway Cell,
Jabalpur.

.. Respondents

(By Advocate:)

ORDER (ORAL)

All the OAs involving similar question of law and facts are being decided by this common judgment.

2. Facts of applicant Shri Praveen Singh Sisodia, OA No.113/2011 are taken as leading case.

3. The respondents issued Employment Information No.01/08 (Group-D) inviting applications for making recruitment to total 3168 posts of Group-D in different cadres on 19th January, 2008.

4. All the applicants possessing qualification and having eligibility for the post advertised submitted their application for the post of Trackman in Group-D category.

5. The respondents issued a call letter for appearing in the Physical Efficiency Test to be held on 21.10.2008. The applicants appeared in the said test and declared successful. Thereafter the



respondents issued call letters for appearing in the written test and the applicants appeared in the written test held on 24.5.2009 and awaiting for the result.

6. On 29.10.2010, the respondent No.3 issued Important Information No.01/2010 Group-D Recruitment, West Central Railway canceling the selection process in the midst which was advertised vide Employment information No.1/2008 dated 19.1.2008 and subsequent Information No. 02/2010 dated 1.12.2010 has been issued.

7. All the aforesaid three OAs have been preferred by the applicants aggrieved and dissatisfied by cancellation of Employment Information No.1/2008 as the respondents while canceling the selection process have not assigned any justifiable cause after reaching it to two stages. It is not disputed that the respondents have issued call letters to the applicants for appearing in the Physical Efficiency Test on 30th March, 2011. It is also made clear in the advertisement that candidates who have already applied pursuant to the earlier advertisement for the post of Trackman need not to apply afresh. Thus, these OAs have been preferred by the applicants claiming relief that respondents may be restrained from taking any drastic action against the applicants for not re-appearing in the Physical Efficiency Test and Written Examination to be held pursuant to the Employment Information No.1/2008 dated 19.1.2008. In the alternative, the respondents may be directed to reorganize the Physical Test and Written Examination for the applicants in pursuance of the Employment Information

No.1/2008 dated 19.1.2008 and give appointment to the post of Trackman, if otherwise, found suitable.

8. We have given our thoughtful consideration to the submissions made on behalf of the applicants and upon careful perusal of the averments made in the OAs and Annexures submitted thereto, it is not disputed by the applicants that selection on various category of 3168 Group-D posts has to be made and it is the domain of the respondents that if requisite number of applicants are not available to select meritorious persons, the process of selection can be cancelled in the larger interest. Since the respondents have already protected rights of the applicants by allowing them to appear in the Physical Efficiency Test to be held on 30th March, 2011 and thereafter in the written test, we find no illegality in the impugned important information dated 29.10.2010 (Ann.A/1) by which entire selection process has been cancelled.

9. Thus, the aforesaid OAs deserve to be dismissed in limine which are accordingly dismissed.

(ANIL KUMAR)
Admv. Member

(JUSTICE K.S.RATHORE)
Judl. Member

R/