

CENTRAL ADMINISTRATIVE TRIBUNAL,  
CHANDIGARH BENCH

O.A.No.060/00256/2014

Decided on : 21.03.2014

**CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J) &  
HON'BLE MS. RAJWANT SANDHU, MEMBER (A)**

Mr. Prabhu Lal S/o Shri Ram Dass R/o H. No. 166-C, Railway Colony,  
Ambala Cantt, District Ambala (Haryana).

Applicant

By: Mr. Suneet Sharma, Advocate.

Versus

1. Union of India through its General Manager, Northern Railway,  
Baroda House, New Delhi.
2. The Divisional Railway Manager, Northern Railway, Ambala Cantt.
3. The S.E. Works Estate Northern Railway, Ambala Cantt.
4. The Senior DPO, Northern Railways Ambala Cantt.

By: Mr. Lakhinder Bir Singh, Advocate.

Respondents

**O R D E R(oral)**  
**HON'BLE MR. SANJEEV KAUSHIK , MEMBER (J)**

1. The applicant has filed this Original Application under section 19 of the Administrative Tribunals Act, 1985, pleading that he was appointed as Mali Khalasi (Casual Labour) on 31.10.1983 for patrolling duty. He was subjected to a Medical Examination in B-1 Category in 1985

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but was declared fit for C-II category on 14.11.1985. He reported for duty but was not allowed to do so in the absence of any post. He remained out of job for 4 years. He was reinstated in service vide letter dated 1.5.1989. The applicant along with others was directed to appear for a screening test vide letter dated 29.4.2010 for appointment against Group 'D' post. However, the screening test was held and since then the applicant has been representing the respondents to conduct the test including by service of a legal notice dated 12.6.2013 but to no avail. He has, thus, prayed for issuance of a direction to the respondent no. 4 to screen him for appointment to the post of Group 'D'.

2. In support of the claim raised, the learned counsel for the applicant submitted that despite representing the respondents a number of times, no decision has been taken for conducting the requisite screening test which is illegal and arbitrary and as such a direction may be issued to them to take a decision on the pending representations / legal notice and conduct the test in a time bound manner.

3. There is no need to issue any notice to the respondents. However, Mr. Lakhinder Bir Singh, Advocate, having advance notice of the Original Application, appears and expresses no objection to the disposal of the Original Application in the requested manner.

4. In view of the restricted prayer made by learned counsel for the applicant and without commenting upon anything on the merits of the

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case, this O.A. is disposed of with a direction to the competent authority amongst the respondents to consider and take a decision on the pending legal notice on conducting of screening test for Group 'D' for applicant with other eligible candidates, as per rules and law within a period of two months from the date of receipt of a certified copy of this order.

5. No costs.

  
**(SANJEEV KAUSHIK)**  
**MEMBER (J)**

  
**(RAJWANT SANDHU)**  
**MEMBER (A)**

Place: Chandigarh  
Dated: 21.03.2014

HC\*