

**CENTRAL ADMINISTRATIVE TRIBUNAL  
AHMEDABAD BENCH, AHMEDABAD.**

**OA No.351/2018**

**This the 04<sup>th</sup> day of October, 2018**

**Coram : Hon'ble Ms. Archana Nigam, Administrative Member  
Hon'ble Shri M.C.Verma, Judicial Member**

Shri Kanjibhai  
Son of Shri Nathubhai Rabari  
Age 53 years,  
Working as Peon in the Office of the Respondents  
Residing at : B/182, Murlidhar Apptt.  
Nr. Bhuyangdev, Ghatlodia  
Ahmedabad 380 061. .... Applicant  
(By Advocate : Shri M.S.Trivedi)

**VERSUS**

1. Union of India through  
The General Manager  
Western Railway,  
Churchgate, Mumbai 400 020.
2. The Divisional Railway Manager  
O/o. DRM, Western Railway  
Divisional Office, Ahmedabad Division  
Nr. Chamunda Bridge, Asarwa  
Ahmedabad 380 002. .... Respondents.  
(By Advocate : Ms. R.R.Patel)

CAT, Ahmedabad Bench

**ORDER – ORAL**

**Per : Hon'ble Ms. Archana Nigam, Member (A)**

Heard Shri M.S.Trivedi, learned counsel for applicant and Ms. R.R.Patel, learned counsel for respondents.

2. Learned counsel for the respondents produces a copy of the Office Memorandum dated 24.9.2018 issued by Divisional Office, Ahmedabad with reference to the result of written test held on 26.7.2018 for promotion to the post of JR/CK in PB 5200-20200 + GP 1900 Level-2 against 16.2/3% LDCE quota of Ahmedabad Division. The same is taken on record. She further submits that only two candidates have qualified the said written test held on 26.7.2018 and applicant namely Shri Kanjibhai Nathubhai Rabari does not find place within List of 'Qualified Candidates' as declared by respondents. It is also mentioned in the said Office Memorandum that result and further selection procedure is subject of outcome of OA No.351/2018 filed before Hon'ble CAT-ADI. It is also seen from record that the Tribunal vide Order dated 17.9.2018 had allowed the respondents to declare the result of the examination with direction that if applicant qualified the said examination, his selection shall be

**CAT, Ahmedabad Bench**

provisional, subject to outcome of the OA. As it is seen from the Office Memorandum dated 24.9.2018 that the applicant has not qualified in the written examination held on 26.7.2018, and therefore there is no merit in OA which requires adjudication. However, learned counsel for applicant request for a positive affirmation statement be made as regard to selection procedure having being completed. Accordingly, learned counsel for respondents has made a statement to the effect that applicant has not qualified for the written test held on 26.7.2018 for the post of JR/CK in PB 5200-20200 + GP 1900 Level-2 against 16.2/3% LDCE quota of Ahmedabad Division and the directions of the Tribunal were complied with in the conduct of the said exam.

3. In view of the statement made by learned counsel for the respondents, Shri M.S.Tivedi submits that he does not press this OA and may be disposed off as such. Accordingly, the OA is disposed off as not pressed.

**(M.C.Verma)**  
**Member (J)**

**(Archana Nigam)**  
**Member (A)**

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