

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH, ALLAHABAD

This the 4th day of April, 2018

Hon'ble Mr. Justice Dinesh Gupta, Member(J)

O. A. No.330/00881/2011

1. Akhtar Ali son of Bhullan Khan resident of New Shiv Nagar (Behind Nagar Palika Office), Post Tundla, District-Firozabad.
2. Prem Singh son of S.P. Singh r/o village Nawalpur Post Uurdil Nagar, District- Aligarh.
3. Dalveer Singh son of Gajraj Singh r/o village Nagla Galua, Post Vasundhara, District Etah
4. Netra Pal son of Tilak Singh r/o Nagla Mandhati, Post Kora, District-Aligarh.
5. Mahendra Singh son of Chhabbal Singh r/o Village Mangrauli, Post Mangrauli, District- Etah.
6. Ramnevash s/o Gaya Ram r/o Village Saraya, Post Vikrandranpur, District- Maha Maya Nagar.
7. Kunwar Pal son of Roshan Lal r/o village Mangrauli, Post Mangrauli, District- Etah.
8. Anokhe Lal son of Nanhu Singh resident of village and Post Jareenpur Bhuriya, District- Hathras

..... Applicants

By Advocate: Sri M.K. Dhrubvanshi

Versus

1. Union of India through Secretary, Ministry of Railways, Govt. of India, Baroda House, New Delhi.
2. The Railway Board, Ministry of Railways, Govt. of India, Baroda House, New Delhi through its Chairman.
3. The Director Establishment (N) Railway Board, Ministry of Railways, Baroda House, New Delhi.
4. Divisional Railway Manager, North Central Railway (NCR) Subedarganj, Allahabad.
5. Chief Personnel Officer, NCR, Head Quarters Office, Subedarganj, Allahabad.

..... Respondents

By Advocate : Sri P.K. Mishra proxy for Sri P. Mathur

O R D E R

The Applicant has filed this OA under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:-

- i) To quash the rejection order dated 30.6.2010 passed by the respondent No. 2 (Annexure A-1).
- ii) To direct the respondents to declare the result of the screening test held in the month of October, 2007 in pursuance of notification dated 17.12.2003 (Annexure A-4).
- iii) To direct the respondents to regularize the services of the applicants as per the existing rules and to provide them duty in case they are found successful in the aforesaid screening test.
- iv) Any other order or direction to which this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case also be passed.
- v) To award cost of the application to the applicants.

2. Learned counsel for applicants submitted that in compliance of order passed by this Tribunal earlier, the respondents have declared the result of the Screening test held in October, 2007 and in the screening test result, the applicants have been found successful. Since the main relief claim by the applicants for declaration of the result, the respondents have complied with the order and

declared the result of screening test, as such O.A. has become in-fructuous.

3. Counsel for respondents submitted that persons who was not found suitable in the screening test filed an O.A. before this Tribunal and this Tribunal vide its order dated 16th February, 2018 dismissed the O.A.

4. Since the applicants prayer in respect of declaration of result has already been redressed by the respondents, hence this O.A. has become in-fructuous. Accordingly, O.A. is dismissed as in-fructuous. So far as, further course of action of respondents to absorb the applicants after declared successful in the screening test is concerned, in case, applicants have any grievance by the decision of respondents, the same will be fresh cause of action and applicants can take legal course afresh. No costs.

(Justice Dinesh Gupta)
Member (J)

HLS/-

