

**Central Administrative Tribunal
Principal Bench, New Delhi**

OA No.2152/2015

New Delhi, this the 1st day of October, 2015

Hon'ble Mr. Justice B.P. Katakey, Member (J)
Hon'ble Mr. K.N. Shrivastava, Member (A)

Komal Rathi
S/o Sh. Vijender Kumar
R/o House No. 618, Khera Road
Delhi-110082.
Group " C "Aged 24 yrs. . Applicant.

(By Advocate:Mr. Sourabh Ahuja)

Vs.

1. Staff Selection Commission
Through its Chairman
Block No.12,CGO Complex
Lodhi Road, New Delhi.
2. The Regional Director
Staff Selection Commission
Northern Range
CGO complex, Block No.12,
Lodhi Road, New Delhi.
3. Union of India
Through its Chairman
Ministry of Railways (Railway Board,
New Delhi-110001.
4. General Manager
Northern Railways
Headquarter Office
Baroda House, New Delhi. .. Respondents

(By Advocate: Mr.Yogesh Mohur for Mr. Gyanender Singh
Ms. Bhaswati Anukampa for R-3 & 4)

ORDER (ORAL)

By Justice Mr. B.P. Katakey, Member (J);-

The applicant, who was selected for appointment as Multi Tasking Staff (Non Technical), has filed the present application seeking a direction to the respondent authority, namely, Staff Selection Commission, to send the report along with dossiers of the applicant to the Ministry of Railway, with a further prayer to the respondents Nos. 3 & 4 to appoint the applicant on said post pursuant to the selection for the year 2013.

2. It has been contended by the learned counsel appearing for the applicant that though the applicant was selected for appointment as Multi Tasking Staff (Non Technical) for the year 2013, he has not been appointed on the guise of making an inquiry by the SSC relating to his candidature. It has also been submitted that such inquiry is continuing since July, 2014 and despite expiry of more than one year, the SSC has not submitted his report to the Ministry of Railway, Respondent No.3 to act on that selection made. Learned counsel, therefore, submits that OA may be disposed of directing the SSC to send its report along with the dossier of the applicant to Ministry of Railway, Respondent No.3, and to act pursuant to the selection made.

3. Learned counsel appearing for SSC submits that the SSC shall submit the report to the Ministry of Railway within a period of two weeks from today.

4. The learned counsel appearing for the respondent No.3, Ministry of Railway, submits that Ministry of Railway based on the report to be submitted by the SSC would take appropriate follow up action within a reasonable period of time. It has also been submitted that the name of Respondent No.4 may be strike off from the array of the respondents as he is not a necessary party.

5. Learned counsel appearing for the applicant has also submitted that the name of the respondent No.4 may be strike off from array of the respondents.

6. Having regard to the aforesaid submissions and also perusal of the the pleadings made in the OA as well as the reply of the respondent Nos. 3 & 4, we dispose of the OA in terms of the following directions;-

- (i) The respondent Nos. 1 & 2 shall submit its report along with the dossier to the Ministry of Railway, Respondent No.3 , within two weeks.
- (ii) The respondent No.3 based on the said report will take necessary follow up action within two weeks thereafter. It is made clear that if any adverse is found in the report submitted by the SSC to the respondent No.3, the same shall be communicated to the applicant within 15 days thereafter. In case, nothing adverse appears in the report, the respondents No.3 shall pass necessary order, within two weeks thereafter, based on the seletion made.

7. The name of the respondent No.4 is strike off from the array of the respondents, as prayed for.

8. The OA stands disposed of with the above directions. No costs.

MA No.2869/2015

In view of the order passed in the OA, the MA stands allowed.

Issue dasti

(K.N.Shrivastava)
Member (A)

(B.P. Katakey)
Member (J)

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