

CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH



No. OA 350/00872/2016

Date of order : 10.6.2016

Present: Hon'ble Ms. Bidisha Banerjee, Judicial Member  
Hon'ble Ms. Jaya Das Gupta, Administrative Member

UPENDRA KUMAR

VS

RRC (S.E.RLY.)

For the applicant : Mr.J.R.Das, counsel

For the respondents : Mr.B.P.Manna, counsel

O R D E R

Ms.Bidisha Banerjee, J.M.

Heard both the ld. Counsels.

2. The applicant is aggrieved as despite having cleared all the stages of the selection against notification dated 26.10.13 for recruitment in various erstwhile Group 'D' posts in S.E. Railway, <sup>1</sup> he has not been called for medical examination. No representation of the applicant could be noticed in the Original Application.

3. Ld. Counsel for the applicant strenuously urged that the respondents are adopting a 'pick & choose' policy in putting the names of the selected candidates not in accordance with merit, which action of the respondents is not bonafide, rather violative of the constitutional provisions as enshrined in Article 14, 16, 21 & 300A of the Constitution of India.

4. Ld. Counsel for the applicant strongly relied upon two decisions of this Tribunal in OA 1433/15 and OA 1476/15 whereby and whereunder, in regard to the candidates of the same selection this Tribunal had directed the Railway Administration to give a detailed reply individually to the applicants after scrutinising their cases, Since the respondents had stated that because of some suspicion concerning 47 persons the respondents were releasing the

merit list part by part. It is not the case of the respondents that the present applicant fell within the said 47 ~~suspicious candidates~~.

5. Accordingly the respondents are directed to issue reasoned and speaking order as to why the present applicant despite clearing all the stages of selection has not been sent for medical examination. Let appropriate orders be issued within three months from the date of receipt of the copy of this order.

6. The OA therefore stands disposed of. No order is passed as to costs.

(JAYA DAS GUPTA)  
MEMBER (A)

(BIDISHA BANERJEE)  
MEMBER (J)

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