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***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

WRIT PETITION NO. 4738 OF 2022

Jitendra Verma

... Petitioner

V/s.

Union of India through Chairman,
Railway Recruitment Board, Mumbai and Ors.

... Respondents

Mr. Aditi S. Naikare for the Petitioner
Ms. Anjali Helekar for the Respondents

***CORAM : NITIN JAMDAR &
MANJUSHA DESHPANDE, JJ.***

DATE : 26 SEPTEMBER 2023

P.C. :-

Heard the learned Counsel for the parties.

2. The Petitioner has challenged the order passed by the Central Administrative Tribunal dated 27 June 2019 rejecting the Original Application No. 382 of 2017 filed by the Petitioner.

3. The Petitioner had applied pursuant to an employment notice issued by the Railway Recruitment Board for the post of Junior Engineer which was issued on 10 March 2012. The Petitioner

was called for written test on 9 September 2012. The results were declared on 18 February 2014. The Petitioner's name appeared in the Waiting List. The Petitioner questioned the final results published on 28 March 2014 and sought directions to appoint the Petitioner by filing Original Application on 3 May 2017. This Application was rejected by the impugned order.

4. The learned Counsel for the Petitioner contended that there are no adequate reasons in the impugned order and the Tribunal has erroneously held that there was a delay of seven years which is factually incorrect. The learned Counsel for the Respondents supported the impugned order.

5. Though the reference to seven years may be factually not correct that there was a delay in approaching the Tribunal cannot be held to be incorrect as the results of March 2014 were being questioned on 3 May 2017. The Tribunal has recorded the finding that the Waiting List was for a period of one year. Therefore, the direction that the Petitioner should be appointed could not have been issued by the Tribunal. In these circumstances, we do not find that there is any error in the impugned order.

6. The Writ Petition is accordingly rejected.

MANJUSHA DESHPANDE, J.

NITIN JAMDAR, J.