

**CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH**  
**CIRCUIT SITTINGS: GWALIOR**

**Original Application No.202/00023/2018**

Gwalior, this Monday, the 10<sup>th</sup> day of February, 2020

**HON'BLE SHRI NAVIN TANDON, ADMINISTRATIVE MEMBER**  
**HON'BLE SHRI RAMESH SINGH THAKUR, JUDICIAL MEMBER**

Kunj Bihari Tiwari  
S/o Shri Devi Deen Tiwari  
Aged 43 years,  
Occupation Service in  
Indian Railway,  
R/o GL 1830 DD Nagar,  
Gwalior M.P.474005  
(Mobile No.7694812627)

**-Applicant**

(By Advocate –**Ms. Soumya Chaturvedi**)

**V e r s u s**

1. Union of India,  
through General Manager,  
Central Railway Chhatrapati  
Shivaji Terminus Mumbai 400001

2. The Chief Personnel Officer,  
Central Railway, Chhatrapati Shivaji  
Terminus Mumbai 400001

3. The Senior Divisional Personnel Officer  
Office of DRM Central Railway  
Nagpur 440001

**- Respondents**

(By Advocate –**Shri Raja Sharma**)

**O R D E R (Oral)**

**By Navin Tandon, AM:-**

The applicant is aggrieved that he was denied the opportunity to participate in the selection of Group B post of Assistant Personnel Officer.

2. The brief facts of the case are that the applicant is Office Superintendent Grade-II, Nagpur in Grade Pay of Rs.4200/- and is presently on deputation to Indian Railway Centre for Advanced Maintenance Technology (IRCAMTECH), Gwalior. The respondents had issued notification dated 31.08.2017 (Annexure A/5) by which applications were invited from all eligible candidates for filling up the Group 'B' posts of Assistant Personnel Officer. Subsequently the respondents vide order dated 30.10.2017 (Annexure A/1) issued a list of candidates who have applied for and were found provisionally eligible for written test on 02.12.2017.

3. The applicant submits that he has not received the notification dated 31.08.2018 (Annexure A/5) as it was not sent to IRCAMTECH, Gwalior. Therefore, he could not apply for the said selection.

4. The applicant has prayed for the following reliefs:-

*“8.1 That, a direction may kindly be given to the respondents to include the name of applicant in the*

*formation of panel of selection to the post of APO and the notification dated 30.10.2017, Annexure A-1, deserves to be directed to be modified to that extent.*

*8.2 That, a further direction may kindly be given to the respondents to conduct the supplementary examination for applicant for selection to the post of APO under the 70% quota and on being successful, grant him the promotion to the post of APO with all consequential benefits from the date of promotion of immediate junior to the applicant.*

*8.3 Any other suitable relief which this Hon'ble Tribunal deem fit and proper in the circumstances of the case may also be given to the applicant along with cost of this O.A."*

5. The respondents in their reply have submitted that the notification dated 31.08.2017 (Annexure A/5) was addressed to IRCAMTECH, Gwalior and was also uploaded in the site of Rail Net, Central Railway and therefore it was having wide publicity as has also been indicated in Annexure A/5. The main written test and supplementary written test were held on 02.12.2017 and 18.12.2017 respectively. The viva voce test was held on 23.01.2018 and panel was declared on 01.02.2018.

6. We find that notification dated 31.08.2017 (Annexure A/5) have been addressed to a large number of officials including IRCAMTECH, Gwalior. It has also been mentioned in Para 3 therein:-

*"3. This notification be given wide publicity & also advertised by placing on notice boards at prominent places. It has been decided to call applications online from the Applicants and scrutiny of Service Particulars will also be*

*done electronically at each level i.e. division/workshop/Unit and Headquarter.”*

**6.1.** The respondents have also emphasized that this was also available in the Central Railway Rail Net and therefore as much wide publicity has been given to the notification as possible.

**7.** Considering the fact, that wide publicity was given to the notification and the selection process has already been completed, we are unable to grant relief prayed for.

**8.** Accordingly, this Original Application is dismissed. No costs.

**(Ramesh Singh Thakur)**  
**Judicial Member**

**(Navin Tandon)**  
**Administrative Member**

kc