

CENTRAL ADMINISTRATIVE TRIBUNAL,
MUMBAI BENCH, MUMBAI.

O.A.210/00843/2019

Date of decision : December 13, 2019.

Coram: Dr.Bhagwan Sahai, Member (Administrative)
R.N. Singh, Member (Judicial).

Shri Vijay Kant Jha
Age-38 years,
R/o. Main Signal Office,
ASD Bldg., Naval Dockyard,
Near Lion Gate, Hutatma Chowk,
Hutatma Chowk, Mumbai,
Maharashtra-400 023.

.. Applicant.

(In person).

Versus

1. Union of India,
Ministry of Railways,
Railway Recruitment Board,
North Block,
New Delhi-01.
2. The Secretary Chairman,
Railway Recruitment Board,
Mumbai, Central Railway,
Mumbai CST-01.
3. Divisional Railway Manager,
Central Railway,
Mumbai CST-01.

.. Respondents.

O R D E R (O R A L)
Per : R. N. Singh, Member (Judicial)

Present.

1. Shri V. K. Jha, applicant in person.
2. Heard him.
3. The applicant who claims to be an ex-service man has filed the present OA under Section 19 of the Administrative Tribunals Act, 1985 challenging the order no. PMOPG/ E/2019/ 0669163 dated 21.11.2019 vide which the applicant has been informed that all the eligible candidates who applied against the notification are required to qualify the entire selection procedure.
4. In the aforesaid background, the applicant has prayed for the following reliefs:

1. call for the record of the case from the respondents.
2. Quash and set aside the order dated 22.11.2019 (Ann A-1) of closing the case of the applicant without application of mind.
3. Direct the respondents to stay the proceedings started for Recruitment against the advertisement RRB/CEN No.03/2018 dated 29.12.2018 during the pendency of this application.
4. Declaring the actions of the respondent is an illegal, unjust, arbitrary, malafide, unconstitutional against the principles of natural justice violative of article 16(1) of the constitution of India and against eh mandatory provisions of law.

5. Allow the OA of the applicant with all other consequential benefits.
6. Any other fit and proper relief may also be granted.
7. Allow the O.A. With cost."

5. The applicant who appears in person submits that in pursuance to the centralized employment notification, RRB/CEN No. 03/2018, he had applied for the post of JE (Junior Engineer). The selection process consisted of Tier-I Examination followed by Tier-II Examination. The candidates who qualify in Tier-I examination were required to qualify in Tier-II examination as well. He further admits that though he qualified in Tier-I examination, he could not qualify in the Tier-II examination.

6. Now the grievance of the applicant is that the respondents should have provided some relaxation/ concession/ reservation in the aforesaid centralized notification no.03/2018 for the ex-service men which they failed to do.

7. However, it is admitted fact that the applicant has not challenged the aforesaid centralized employment notification no.03/2018. Moreover, he participated in the selection process in response to the said notification without any

kind of protest for not providing any relaxation/ reservation therein. Further, he has also not qualified the selection process.

8. In the aforesaid background, there is no merit in the claim of the applicant.

9. Therefore, the OA is dismissed. No order as to costs.

(R. N. Singh)
Member (J)

(Dr. Bhagwan Sahai)
Member (A)

V.

JD
20/12/19