

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

O.A. No.571/98

NEW DELHI, THIS THE <sup>30<sup>th</sup> DAY OF OCTOBER, 1998.</sup>

HON'BLE MR.JUSTICE K.M.AGARWAL, CHAIRMAN  
HON'BLE MR.R.K.AHOOJA, MEMBER(A)

Lakh Ram Meena  
S/o Shri Ram Kishan  
R/o Village Nagla Dhunai,  
P.O. Kabai, Tehsil Nadbai,  
Distt. Bharatpur-321602(Rajasthan)  
(BY ADVOCATE SHRI V.P.KOHLI)

....Applicant

vs.

Union of India, through:

1. The General Manager,  
Northern Railway,  
Baroda House,  
New Delhi.
2. The Chief Electrical Engineer,  
Northern Railway,  
Baroda House,  
New Delhi.
3. The Divisional Railway Manager,  
Northern Railway,  
Allahabad.

....Respondents

(BY ADVOCATE SHRI B.S.JAIN)

ORDER

JUSTICE K.M.AGARWAL:

The applicant claims a direction to the respondents to issue posting order in his favour.

2. The applicant was selected as an Apprentice Assistant Electrical Chargeman by the Railway Recruitment Board, Allahabad. In 1990, he was nominated to Allahabad Division of the Northern Railway. As he could not pass the requisite tests on completion of his training, his services were terminated from Apprentice post. On a representation being made, his training period was extended by another three months and he was, thereafter, directed to be given another chance to clear the tests. The grievance of the applicant is that though he completed the additional period of training, he was given no chance to face the tests afresh

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and, therefore, he has filed the present O.A. for the said relief. The claim is resisted by the respondents.

3. After hearing the learned counsel for the parties and perusing the record, we find that ordinarily three attempts are permissible for clearing the tests. The applicant could not clear the tests in 3 attempts. On the basis of his representation, he was given 4th chance to clear the tests. According to the applicant, he was given no opportunity to face the tests, whereas according to the respondents, he could not clear the tests even on 4th attempt. The applicant's contention that he was given no further chance to face the tests as per Chief Electrical Engineer's order dated 12.2.1996 on the basis of his representation, inspires no credibility. Claim is also barred by time. Under the circumstances, we find no merit in this O.A. It is liable to be dismissed.

4. In the result, this O.A. fails and it is hereby dismissed, but without any order as to costs.

*K*  
(K.M.AGARWAL)  
CHAIRMAN

*R.K.Ahooja*  
(R.K.AHOOJA)  
MEMBER(A)