

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. NO.1605/1996

New Delhi this the 13th day of March, 2000.

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN

HON'BLE SHRI V. K. MAJOTRA, MEMBER-(A)

Bhagwant Rai S/O Manohar Lal,
Senior Ticket Collector,
R/O 5/C-1, Railway Colony,
Punjabi Bagh,
New Delhi-110026.

... Applicant

(By Shri D.K.Srivastava proxy for Shri P.M.Ahlawat,
Advocate)

-Versus-

1. Union of India through
General Manager, Northern Railway,
Baroda House, New Delhi-110001.

2. Divisional Railway Manager,
Northern Railway,
State Entry Road,
New Delhi-110001.

... Respondents

(By Shri D.S.Jagotra proxy for Shri B.S.Jain, Adv.
with Shri Prem Chand, Assistant Personnel Officer,
Northern Railway, Deptt. Representative)

O R D E R (ORAL)

Shri Justice Ashok Agarwal :

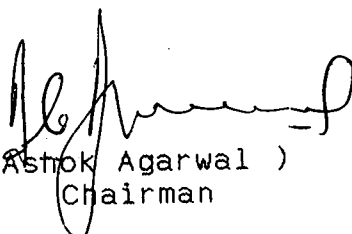
Applicant who belongs to the Scheduled Caste, by the present O.A., claims to be empanelled for the post of Head TCR/Head TTE/COR in grade Rs.1400-2300. The said post is a selection post and the prime criteria for empanelment is merit-cum-seniority. In order to select qualified meritorious candidates for empanelment, persons three times of the vacancies are considered. Procedure for empanelment is contained in para 2 of the Indian Railway Establishment Manual, Volume-I, 1989 Edition. A candidate is required to

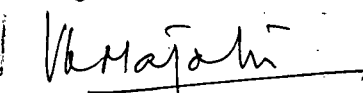
secure 60% marks before he can be considered for empanelment.

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2. We have perused the marks-sheet which has been produced for our perusal and we find that applicant has not secured the requisite 60% marks. He has, therefore, been found ineligible for empanelment. As far as SC candidates are concerned, as many as 16 candidates have been empanelled. All these candidates have secured 60% or more marks. Since applicant has failed to secure the aforesaid marks, he has not been empanelled. Having regard to the performance of applicant at the written test, viva voce, seniority as also the record of service, applicant has been found ineligible.

3. In our view, no exception can be had to the decision of the respondents not to empanel the applicant. Present O.A., in the circumstances, we find, is devoid of merit. The same is accordingly dismissed. There shall, however, be no order as to costs.


(Ashok Agarwal)
Chairman


(V. K. Majotra)
Member (A)

/as/