

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH
AT HYDERABAD**

OA/021/293/2020

HYDERABAD, this the 1st day of July, 2020



Hon'ble Mr. Ashish Kalia, Judl. Member
Hon'ble Mr. B.V. Sudhakar, Admn. Member

Kolla Suresh, S/o. Chinna Rao,
Aged about 29 years, (Group C),
Occ: Trackman IV in the o/o. SSE, P. Way,
Ghatkesar, Secunderabad Division,
r/o. H. No. 3/13, IG Colony,
Cherlapally, Hyderabad, Telangana State.

... Applicant

(By advocate: Mr.K. Siva Reddy)

Vs

Union of India rep. by

1. The General Manager,
South Central Railway,
Secunderabad.
2. The Chairman,
Railway Recruitment Cell,
Rail Nailayam, Secunderabad.

... Respondents

(By advocate: Mr.S.M. Patnaik, SC for Railways)

ORDER (ORAL)

Hon'ble Mr. B.V. Sudhakar, Admn. Member

2. The OA is filed challenging non selection of the applicant to the post of Junior Engineer/ P. Way as per notification dt.12.12.2018 issued by the respondents.

3. Brief facts of the case are that the applicant has responded to the notification dt. 01.08.2013 issued by the 2nd respondent for appointment under General Departmental Competitive Examination to the post of JE/ TM and JE/P.Way.

Against the said notification, a written examination was conducted on 08.09.2019 and final select list was released on 25.02.2020. The applicant's name did not figure in the final selection list. Aggrieved over the same, this OA is filed.



4. The contentions of the applicant are that he has secured 64 marks in the said examination and the cut off marks for OBC in respect of the post of JE/P. Way is only 30.67. Therefore, respondents' not selecting the applicant is obviously irregular.

5. Learned counsel for the respondents states that the interim relief sought for by the applicant to keep one post of JE/P. Way vacant till the OA is decided is uncalled for, since the respondents would in any case examine his claim and if found eligible as per rules, then it would be considered favourably.

6. After hearing both sides, it is seen that the respondents have issued a notification on 12.12.2018 wherein 16 posts of JE/ TM and 91 posts of JE/P.Way were notified to be filled up based on the merit in the written examination. Applicant appeared in the examination and the provisional results were declared on 08.02.2020 (Annexure A-3) wherein the cut off mark for OBC candidates is indicated as 30.67. Subsequently, final results were published on 25.02.2020 (Annexure A-4). It is also seen that the applicant was furnished irrelevant information under RTI Act vide Annexure A-6 indicating that the marks secured by him were less than the cut off marks prescribed for JE (TM) though the

applicant queried for indicating the reason for not selecting him as J.E /P. Way in spite of his securing 64 marks against the cut off marks of 30.67 under OBC category. Applicant has further pointed out that, against 91 vacancies of JE/P. Way, only 20 posts were filled up (Annexure A- 4). Therefore, if the respondents were to re-examine his issue based on facts stated above, he has a good opportunity of being selected for the post of JE/P. Way.



7. Considering the above facts, the respondents are directed to consider the OA as a representation of the applicant and examine his case, particularly with respect to the marks obtained by him and his eligibility to be selected for the post of JE/P.Way, in the context of the respondents themselves have cited the cut off mark as 30.67 under OBC category, as per records appended. After examining the case of the applicant as directed, the respondents shall issue a speaking and reasoned order, within a period of 8 weeks from the date of receipt of this order.

With the above directions, the OA is disposed of, at the admission stage itself. There shall be no order as to costs.

(B.V. SUDHAKAR)
ADMN.MEMBER

(ASHISH KALIA)
JUDL. MEMBER

/evr/