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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH
NEW DELHI

Q.A.No. 650/91

New Delhi, dated the 24th May, 1995

HON'BLE MR. S.R. ADIGE, MEMBER (A)

HON'BLE MRS. LAKSHMI SWAMINATHAN, MEMBER (B)

Shri Lal Bahadur,
S/o Shri Balbir Singh Vats,
48-A, Badli Extn. II,
Delhi-110042.

(Non appeared for the applicant)

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APPLICANT

VERSUS

1. Union of India through the
Director General, EME,
Army HQ., New Delhi.

2. OIC EME Records,
Secunderabad (AP)

3. Commandant
505, Army Base Workshop,
Delhi Cantt. 110010

4. Subedar Harphool Singh,
EME Officers Mess,
Delhi Cantt. - 110010.

(Shri A.K. Bhardwaj, proxy counsel
for Shri M.K. Gupta)

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RESPONDENTS

ORDER (ORAL)

BY HON'BLE MR. S.R. ADIGE, MEMBER (A)

In this application Shri Lal Bahadur has sought a declaration that he is eligible for the appointment as Senior Chargeman (Pt. II Cadre) based on the position attained in the select list and has prayed for quashing of selection of Subedar Harphool Singh as Chargeman.

2. From the materials available on record it appears that a vacancy for Sr. Chargeman (Pt. II Cadre) arose by letter dated 14.1.88 for filling through the Direct Recruitment. It was notified by the Central Employment Exchange vide its advt. based on which the applicant applied; while Subedar Harphool Singh was sponsored by the Director General of Resettlement. Both the above named candidates were subject to trade test which was conducted by a panel of officers in which the candidates were

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subject to theoretical, practical and oral test and were awarded marks based on their performance. The applicant secured a total of only 28 marks out of 100 while as a general rule, candidates who got less than 40% in each and 50% in the aggregate do not qualify. Shri Harphool also competed with other candidates and got highest marks i.e. 60% out of 100 and was declared as selected.

3. The above averments which have been made in the reply filed by the Respondents have not been specifically challenged by the applicant in his rejoinder. What has been stated in the rejoinder is that Subedar Harphool Singh did not qualify in the trade test and his result is falacious and fabricated, but the basis on which this allegation has been made has nowhere been stated and under the circumstance we have no reason to doubt the respondents averments.

4. None appeared for the applicant when the case was called out. Shri A.K. Bhardwaj proxy counsel for Shri M.K. Gupta was present.

5. In the light ^{of} what has been stated above we held that this application is devoid of merit and fails. It is accordingly dismissed. No costs.

Lakshmi Swaminathan
(Lakshmi Swaminathan)
Member (J)

S.R. Adige
(S.R. Adige)
Member (A)

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