

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH, ALLAHABAD

ORIGINAL APPLICATION NO. 1344/96

FRIDAY, THIS THE 15th DAY OF NOVEMBER, 2002

HON. MR. JUSTICE R.R.K. TRIVEDI, VICE CHAIRMAN

HON. MR. SARVESWAR JHA, MEMBER-A

Riaz Ahmad,

T.No. 6314/213 (EW)

'B' Shift, aged about 42 years,
s/o Late Shri Rafiullah
r/o House Ni. 90, Khwajafiroz,
Shahjahanpur.

.....Applicant.

(By Advocate:- Shri R. Verma)

Versus

1. Union of India through the
Secretary, Ministry of Defence,
New Delhi.

2. The General Manager, Ordnance
Clothing Factory
Shahjahanpur.

3. Mohd. Rafi,
a/a 43 years
s/o Shri Mohd. Shafi,
w/a Highly Skilled Fitter Gr. II,
and is posted at E.W.G. Blanket
Section, ordnance Clothing Factory,
Shahjahanpur.

.....Respondents.

(By Advocate:-Km. Sadhna Srivastava)

O R D E R (ORAL)

HON. MR. JUSTICE R.R.K. TRIVEDI, VICE CHAIRMAN

By this O.A under Section 19 of Administrative
Tribunals Act, 1985, applicant has prayed for a direction
to respondents to conduct a fresh Trade Test for promotion
to the post of Highly Skilled Fitter Gr. II (Mill Wright)
in the pay scale of Rs. 1200-1800/- to give one more



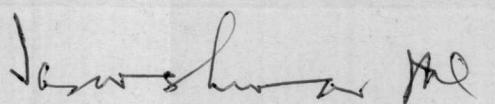
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chance to applicant to complete the trade test. The learned counsel for the applicant has submitted that trade test conducted was not fair as the applicant was given Loom No.3 which was defective and no work could be done on the machine. Applicant was granted three hours time to repair the defect but as the fault was of a major nature it could not be repaired and the applicant has not been selected.

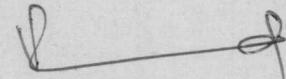
2. A counter reply has been filed ~~in the~~ ^{resisting} Registry. The claim of the applicant in para 17 ^{It has been stated} is that all three candidates were provided machines with similar defect to test their ability. The applicant could not repair the machine for work. A statement to this effect of Member of Work Committee Shri Lal Bahoran has been filed to support the submission.

3. We have considered the submission of the counsel for the parties. However, we are not satisfied that there was any illegality in conducting the trade test.

4. This O.A has no merit and accordingly rejected with no order as to costs.



Member-A



Vice Chairman

Madhu/