

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD

Original Application No.49 of 1996

Friday, this the 3rd day of January, 2003

Hon'ble Mr. S.Dayal, A.M.

Hon'ble Mr. A.K.Bhatnagar, J.M.

Pramod Kumar  
aged about 45 years,  
son of Shri D.C.Vatsya,  
resident of 527-D 6th  
Avenue Smith Road,  
Allahabad at present working  
as Wireless Inspector,  
Northern Railway at Allahabad.

..... Applicant.

(By Advocate : Shri S.S.Sharma)

Versus

1. Union of India,  
through General Manager,  
Northern Railway, Baroda House,  
New Delhi.
2. General Manager (P)  
Northern Railway,  
Baroda House,  
New Delhi.
3. The Chief Signals and  
Telecommunications Engineers,  
Northern Railway, Baroda House,  
New Delhi.
4. Chief Communications Engineers,  
Northern Railway, Baroda House,  
New Delhi.

..... Respondents.

(By Advocate : Shri A. K.Gaur)

ORDER (ORAL)

By Hon'ble Mr. S.Dayal, A.M. :

This OA has been filed for a direction to the  
respondents to promote and post the applicant as Chief

Contd....2.

Inspector Wireless Traffic with effect from 30.8.1995.

2. The claim of the applicant is that he had received more-than 80% marks in the written test and he should have been placed at Sl. No.5 in the select list. on account of his ~~Out~~-standing merit.


3. We have heard the arguments of Shri S.S.Sharma, counsel for the applicant and Shri A.K.Gaur, counsel for the respondents. Shri A.K.Gaur has produced the record of selection. Shri S.S.Sharma, counsel for the applicant has claimed that the applicant was placed 5th in the list and has been included in the panel. Shri Moti Lal who was earlier placed in the panel had retired before panel was declared.

4. We have seen the original record produced by learned counsel for the respondents. We do not find <sup>that</sup> the claim of the applicant that he had receipt 80% marks in the written test or that he was placed at Sl.No.5 after selection, to be correct.

5. The application seems to be made on the basis of presumptions <sup>perusal of</sup> which are not found correct on ~~perusal~~ of record. Therefore, the application is dismissed ~~with~~ ~~xxxx~~ no order as to costs.

6. The original record is being handed over to the learned counsel for the respondents.

  
Member-J

  
Member-A

RKM/