

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD

Original Application No. 568 of 2001

Allahabad this the 02nd day of April, 2002

Hon'ble Mr. Justice R.R.K. Trivedi, V.C.  
Hon'ble Mr.C.S. Chadha, Member(A)

Suresh Chand Jha, Son of Sri Tulsi Ram Jha, resident of 7, Indra Nagar, Shahjahanpur.

By Advocate Shri B.D. Mandhyan

Applicants

Versus

1. Union of India through Secretary, Ministry of Defence, New Delhi.
2. Director General Ordnance Factory Board, 10-A Shahid Khudi Ram Bose Road, Kolkata-700001.
3. General Manager, ~~Ordnance~~ Ordnance Clothing Factory, Shahjahanpur, U.P.
4. Santpal, Store Keeper (Bearing Personal No.9403) Ordnance Clothing Factory, Shahjahanpur.

Respondents

By Advocate Shri R. Chaudhary

O R D E R ( Oral )

By Hon'ble Mr. Justice R.R.K. Trivedi, V.C.

By this O.A. the applicant has challenged the order dated 26.04.2001 by which the respondents declared the panel including the names of those who were selected in Limited Departmental Competitive Exam. The applicant also appeared in the selection for being

selected as Chargeman Grade II Non Technical(Stores) The applicant could not be successful and for the above mentioned post, the respondent no.4-Sant Pal has been selected. The aforesaid selection has been challenged on two grounds. First submission is that the manner of allotment of marks regarding A.C.R. gradings and disciplinary history was illegal and arbitrary, and on account of which the applicant could not be selected. It is submitted that though A.C.Rs are considered for last 5 years, the disciplinary history is considered in respect of ~~another~~ service if ~~entire~~ <sup>entire</sup> record. In short the submission is that the A.C.R. are gradings of 5 years ~~is~~ considered, service record of 5 years should also have been considered. The submission is that the applicant was awarded minor punishment on two occasions, first in the year 1991 and then in the year 1995. They have taken into consideration under the aforesaid condition, and the applicant could not have been selected. We have seriously considered the submission of learned counsel for the applicant, however, we do not find any merit in the same. For a selection, norms and conditions are prescribed by the authorities as a policy matter. The application of the conditions and the norms is uniform to all the applicants. The selection cannot be challenged on the ground that the ~~entire~~ service record of ~~another~~ service has been taken into consideration. In promotional matters while granting promotions the respondents are entitled to select <sup>the</sup> ~~those~~ who were best amongst the eligible persons and the ~~best~~ service record is the best to indicate <sup>the</sup> who is the best amongst the candidates. We do not find any

:: 3 ::

illegality in the ~~prescribed~~ aforesaid conditions.

2. Second ~~submis~~ submission of the applicant is that there was a mistake in ~~calculation~~ <sup>calculation</sup> ~~conferation~~ <sup>of</sup> vacancies. It is submitted that if the vacancies upto 31.03.2000 are taken into account, there can be one more vacancy and the applicant could be accommodated against the <sup>above</sup> same. It is mentioned that for the aforesaid vacancy a fresh notice was issued, <sup>if 2004</sup> and the applicant can raise the claim and participate in the fresh selection.

3. On over all consideration, we do not find any good ground for interference with the selection process. The O.A. is accordingly dismissed. No order as to costs.



Member (A)



Vice Chairman

/M.M./