

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH
ALLAHABAD.

Allahabad this the 23rd day of July 2001.

Original Application no. 775 of 2001.

Hon'ble Mr. SKI Naqvi, Judicial Member

Hon'ble Maj Gen KK Srivastava, Administrative Member

Krishna Kumar, S/o Sri Komal Prasad,
R/o Vill C-33/38-A Chanuwa, Chhitturpur,
Varanasi.

... Applicant

C/A Sri RK Pandey

Versus

1. Union of India through Central Manager,
N.R. Railway, Gorakhpur
2. Chief Personnal Officer, N.E. Rly.,
Gorakhpur.
3. Chief Workshop Manager, NE Rly., Izzatnagar
Bareilly.
4. Chief Workshop Manager (Personnal) NE Rly.,
Workshop Izzatnagar, Bareilly.

... Respondents

C/Rs Sri KP Singh

...2/-

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2.

O R D E R

Hon'ble Mr. SKI Naqvi, Member-J

The applicant has come up seeking relief to the effect that the respondents be directed to absorb him on available vacancy in preference to direct recruit candidates and also not to appoint any junior person or from open market in future vacancy.

2. As per applicant's case, in pursuance of Apprentices Act 1961, the applicant was provided trade apprenticeship within respondents establishment which he successfully completed. The applicant is nursing legitimate expectation ^{that} ~~what~~ when ever any vacancy accrues he will be absorbed and will be given preference over those who are direct recruitees and not provided trade apprenticeship by the railways. But to his utter disappointment the railway department engaged from open market ignoring the claim of the applicant, for which he preferred representation but of no avail.

3. Heard learned counsel for the rival contesting parties and perused the record.

4. The applicant rests his claim on Railway Board direction dated 26.12.1996, copy of which has been annexed as annexure A-2 which provides for preferential treatment to trade apprentice.

5. For the above we find expedient to decide the case with the following directions :-

...3/-

See 2

3.

In case the applicant moves a fresh representation within 15 days the same be decided within 3 months, thereafter and a detailed, speaking and reasoned order be passed taking into consideration the above observations."

6. There shall be no order as to costs.


Member-A


Member-J

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