

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD
BENCH, ALLAHABAD**

(This the 2nd Day of July, 2015)

**Hon'ble Mr. Shashi Prakash-AM
Hon'ble Dr. Murtaza Ali- JM**

**Original Application No. 330/0083/2015
(U/S 19, Administrative Tribunal Act, 1985)**

Surendra Yadav S/o Shri Ram Naresh R/o Village Sahupur P.O.
Bhatni District-Deoria.

..... **Applicant**

**By Advocates: Shri R.B. Tripathi
Shri R.R. Pandey**

Versus

1. Union of India through Secretary Ministry of Railway Govt. of India New Delhi.
2. G.M. Railway Manager (Karmic) North Eastern Railway Gorakhpur.
3. Director Estt. (P&A) Railway Board New Delhi.
4. Divisional Railway Manager (Ka) North Eastern Railway Varanasi.

.....**Respondents**

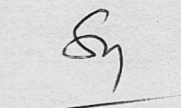
By Advocate: Shri Prashant Mathur

ORDER

Delivered by Hon'ble Mr. Shashi Prakash -A.M.

None is present for the applicant. Shri P. Mathur present for the respondents.

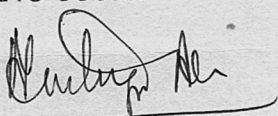
2. Learned counsel for the respondents pointed out that the counsel for the applicant has not been appearing in the instant case for the reasons that the O.A. is not maintainable. He referred to the impugned order dated 5.9.2014, wherein it has been clearly

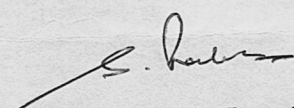


mentioned that the applicant had been given an opportunity to appear in the aptitude test under the LARSGESS Scheme. He further stated that it is made clear in the impugned order that if a candidate passes the written examination under the LARSGESS Scheme but failed in the aptitude test on the first appearance he can avail another opportunity within a period of three months. However, this provision is applicable only to the retirement/recruitment process July-December 2013 on wards. As the applicant had failed in aptitude test in the first ^{phase or} face of July-December 2011 which is prior to coming enforce of the above mentioned provision, there is no provision for giving second opportunity to appear in aptitude test in such case.

3. Heard learned counsel for the respondents. It is also seen that apart from appearing on the first date, the counsel for the applicant has sent illness slip on the listed dates and has remained absent even today.

4. We find that the impugned order is a detailed and speaking order as highlighted by the counsel for the respondents and therefore, the O.A. is devoid of merits and is accordingly dismissed. No costs.


(Dr. Murtaza Ali)
Member (J)


(Shashi Prakash)
Member (A)

Sushil