

A2
1

(2)

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD.

Registration(OA)No. 492 of 1988

Sri D.R.Nagpal

... applicant.

Versus

General Manager,NER, Gorakhpur
and another

... Respondents.

Hon'ble D.S.Misra,A.M.
Hon'ble G.S.Sharma,JM.

(Delivered by Hon'ble D.S.Misra)

In this application under Section 19 of the A.T.Act XIII of 1985, the applicant has challenged the panel of AWM/AME(Workshop) dated 7.1.1985 issued with the approval of General Manager by Deputy C P O N.E.Railway, Gorakhpur.

2. The General Manager(P) N.E.Railway Gorakhpur issued a Notification dated 11.6.1986 for one post of Assistant Mechanical Engineer Workshop against 25 per cent quota to be filled through Limited Departmental Competitive Examination. The applicant appeared in the written test held on 9.9.1984 and 10.9.1984 and viva voce test held on 31.12.1984, but not selected when the result was declared vide letter dated 7.1.1985(copy annexure 8). It appears that out of 7 vacancies, only one vacancy was ear marked for filling in by promotion and six posts were ear-marked for being filled in through direct recruits.

3.The applicant has not pointed out any illegality in the holding of the Limited Departmental

be

A2
2

(3)

-2-

Competitive Examination and he has merely sought a direction for inclusion of his name in the panel. Learned counsel for the applicant contended that the applicant had made several representations regarding his promotion but he has not been promoted. On going through his several representations we find that the applicant has not pointed out any illegality or short coming in the selection itself. The applicant was fully aware of the fact that the selection was being held for only one post. His request for increasing the number of posts under the promotion quota is due to his failure to make the grade. He has merely made a request for promotion which was considered and rejected vide letter dated 7.5.86 of the Dy.C.P.O. (copy annexure 1). The rejection of a request which is not based on any bona fide claim for promotion and can not be considered a grievance regarding service matters.

For the reasons mentioned above, we are of the opinion that this application is not maintainable under the A.T. Act 1985. Accordingly the application is rejected at the admission stage.

A.M.
A.M. 9/5/88

J.M.
J.M.

JS. 9.5.88