

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD

Original Application No. 378 of 1992

Arun Kumar Bhagti

Applicant

Versus

Union of India & others

Respondents

Hon'ble Mr. Justice U.C. Srivastava, V.C.

Hon'ble Mr. K. Obayya, A.M.

(By Hon. Mr. Justice U.C. Srivastava, V.C.)

The applicant has approached this Tribunal praying that the direction may be issued to respondents to interpolate, the name of the applicant for the panel dated 12.11.1987 at appropriate place with all consequential benefits and they be also directed to produce the original record of written test of the applicant held on 8.3.1987 and Viva-voce test held on 1.4.1987.

The applicant was initially appointed as safaiwala in the grade of Rs. 196-232 on 30.10.1975 and was posted under the Carriage and Wagon department, was promoted to the post of Shunting Porter grade Rs. 200-250. He was again promoted and transferred as pointman grade Rs. 200-250 and was posted under Station Master, Laksar Junction of N. Rly. On 14.1.82 he was selected as Cabin Signalman by a positive act of selection in grade of Rs. 210-270/ 260-400 and was sent for one month training. Notification dated 30-12-86 was issued for filling up 32 vacancies of Switchmen in the grade of 1200-2040 for the persons who had completed five years of service up to 31.12.1987 and were matriculate. The applicant had appeared in the test and was interviewed vide order dated 3.4.87. The applicant alongwith others were directed to complete two months training. The applicant was placed at Sl. No. 31 of the list.

~~all persons has not been examined~~ The applicant successfully completed the training and his name appear~~s~~ at sl. No. 13 of the successful trainees. The respondents issued another letter dated 24.8.87 for fresh interview. The applicant appeared ~~on~~ the fresh viva-voce test but in the result declared on 12.11.87, the name of the applicant did not ~~in~~ figure. Against his grievances the applicant made various representations and he was reply~~vide~~ letter dated 14.9.90. The applicant again represented the matter by filing appeal dated 8.4.91 but no avail. The respondents have stated that the ~~supplementary~~ written test held on 6.3.87 to 8.3.87 and supplementary on 9.3.87 and thereafter viva-voce test held on 1.4.87 to 4.4.87 and 8.4.87 and Supplementary held on 13.4.87 were cancelled on administrative reasons by the competent authority andas such as the fresh selection for the post of Switchman grade Rs 1200-2040 was arranged and written test held on 8.3.87 to 11.8.87 and supplementary held on 16.9.87 and thereafter viva-voce test test held on 7.9.87 to 9.9.87 and supplementary held on 16.9.87. The applicant again called to appear in the fresh selection and viva-voce test. In which the applicant was not found up to required standard for the post of Switchman and that is why his name ~~was~~ not found place in the list.

3. According to the respondents due to exigency or urgency of staff, the persons who appeared in the written test and viva voce test were sent for training only to ~~save~~ save ~~time~~ time and ensure the availability of trained staff of operational duties and as such the applicant has no case and the application deserves to be dismissed.

4. From the facts it is clear that the applicant has not ~~stated~~ ~~stated~~ the facts correctly as in the second test, he participated ~~without~~ without any objection. He was not found fit and that is why his name was not included in the panel. The application deserves to be dismissed. No order as to costs.