

(Open Court)

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH, ALLAHABAD.

Allahabad this the 09th day of May, 2002.

Original Application No. 1286 of 1994.

Q U O R U M :- Hon'ble Mr. Justice R.R.K. Trivedi, V.C.  
Hon'ble Mr. S. Dayal, Member- A.

Arun Kumar Srivastava, S/o Sri Awadhesh Kumar Srivastava  
R/o Vill. Dhangati, P.O. Tinich, Distt. Basti.

.....Applicant

Counsel for the applicant :- Sri K.K. Mishra

V E R S U S

1. Union of India through the Secretary,  
M/o Railways, Rail Bhawan, Baroda House,  
New Delhi.
2. The Chairman, Railway Recruitment Board,  
North Eastern Railway, Gorakhpur.
3. General Manager, North Eastern Rly.  
Gorakhpur.
4. Chief Personnel Officer, North Eastern Railway,  
Gorakhpur.
5. Santosh Kushwaha, Opp. Saw Machine (Ara Machine),  
Near Police Station, Tiwaripur,  
Surajkund, Gorakhpur.

.....Respondents

Counsel for the respondents :- Sri V.K. Goel  
Sri Amit Sthalekar

O R D E R (Oral)

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

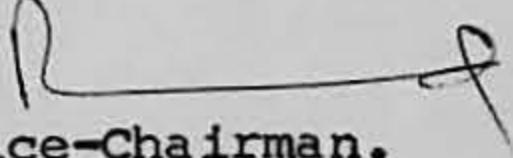
By this application under section 19 of the  
Administrative Tribunals Act, 1985, the applicant has

prayed for direction to respondents to issue appointment letter in favour of the applicant for the post of Permanent Way Mistri in the scale of Rs. 1400-2300/-.

2. The respondents have filed written reply. In para 16 of the reply, it has been stated that ~~though~~ the applicant though secured 80% marks in written examination but he performed so poorly in viva voce <sup>that</sup> and he could not secured necessary marks for being selected. In para 11 of the O.A., the applicant himself admitted the fact that he perform very poorly in viva voce test. In the facts and circumstances of the case, we do not find any good ground ~~for~~ <sup>for</sup> calling <sup>for</sup> our interference. The applicant is not entitled for ~~this~~ <sup>in</sup> ~~claim~~ <sup>claim</sup>. The O.A has no merit and is accordingly dismissed.

3. There shall be no order as to costs.

  
Member- A.

  
Vice-Chairman.

/Anand/