

CENTRAL ADMINISTRATIVE TRIBUNAL
ALL AHABAD BENCH, ALL AHABAD

Original Application No: 1554 of 1994

This, 26th October, 94
The Day of

Om Prakash Rai S/O Late Chandrakesh Rai
aged about 32 years, Guard, Varanasi Cantt,
North Eastern Railway, Varanasi

..... Applicant.

By Advocate Shri P.K.Sinha

Versus

Union of India & Ors. Respondents.

By Advocate Shri -----

Counsel:

Hon'ble Mr. T.L.Verma, Member-J
Hon'ble Mr. S.Dayal, Member-A

ORDER

Hon'ble Mr. S.Dayal, Member-A

The counsel for the applicant, Shri P.K.Sinha urged for the admission of the application for grant of relief of cancellation of order dated 22.07.1994 and a direction to the respondents to allow the applicant to continue working on the post of Section Controller as well as regularise him on the post on the ground that he represented the 30% quota fixed for Guards of Passengers and Goods Trains and award of posts.



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2. After hearing the counsel for the applicant, it is clear that the applicant had appeared at the selection for the post of Section Controller representing the category of Guards which has a proportion of 30%. The other eligible categories who are entitled to be called for selection, were ASM/SM, AYM and HDTNC in the proportion of 30%, 7½% & 7½%. It appears that some 3 candidates from the category of Guards were called for appearing at the examination for filling up 7 posts of Section Controller as revealed by counsel for the applicant. The applicant also appeared representing the category of Guards. His objection ~~is~~ is to the selection on entire number of Section Controllers from the category of ASM/SM.

3. Since the applicant has been given an opportunity to appear at the limited Competitive Examination and did not qualify to be on the select list, he cannot subsequently raise objection to the selection done through the examination.

4. Therefore, the application is rejected in limine.

Member-A

Member-B

/jw/