

(Open Court)

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad this the 01st January of 2003.

Original Application No. 878 of 1995.

Hon'ble Mr. Justice R.R.K. Trivedi, Vice-Chairman.
Hon'ble Maj. Gen. K.K. Srivastava, Member- A.

Suresh Chandra S/o Shree Ram
R/o H. No. 115/276, Maswanpur, PO. Rawatpur,
Distt. Kanpur Nagar.

.....Applicant

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

V E R S U S

1. Union of India through its Secretary,
M/o Defence, New Delhi.
2. The Chairman, Ordnance Factory Board/Director General,
of Ordnance Factories, 10-A, Auckland Road, Calcutta.
3. The Addl. Director Ordnance Factory, O.E.T Group,
M/o Defence, G.T. Road, Kanpur.
4. The General Manager, Ordnance Factory, Kalpi Road,
Kanpur.

.....Respondents

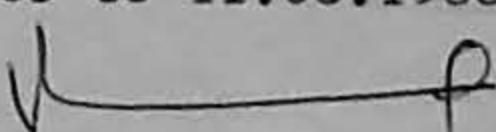
Counsel for the respondents :- Sri Amit Sthalekar

O R D E R

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

By this O.A under section 19 of the Administrative Tribunals Act, 1985, applicant has challenged the order dated 29.05.1995 by which representation of the applicant for appointment as Grinder has been rejected.

2. The learned counsel for the applicant has submitted that the applicant has been ignored in illegal and arbitrary manner though he was apprentice and was given training from 12.08.1985 to 11.08.1988. The certificates



have been annexed as annexure -5, 6 and 7. The applicant was also granted National Apprenticeship Certificate. It is further submitted that the applicant was a Backward Caste candidate and he was not given benefit of reservation.

3. We have considered the submission of counsel for the applicant. However, we do not find any merit in the same. It is not disputed that several apprentices and trained candidates appeared alongwith the applicant. They have been selected. In para 14 of the O.A it has been alleged that the persons from the junior batches of the apprenticeship training have been selected. However, the legal position in this regard is very clear. An apprentice has to be given preference only in case he found ~~suitable~~ ^{separable} to other candidates in all respects. In the present case, while rejecting the representation of the applicant, it has been found that the applicant was much lower in the order of merit and thus could not claim any preference on basis of his being apprentice. So far as the claim as reserved candidate of Backward Candidate is concerned, applicant's caste certificate was not found in order. Name of the applicant was sponsored by the Employment Exchange where he was registered as General Candidate and not as Backward Caste. Learned counsel has submitted that ^{the applicant} was for the first time informed that he cannot be treated as reserved candidate, as the certificate is not in order, at the time of selection but this submission cannot be accepted. It is not disputed that the applicant was registered with the Employment Exchange as General Candidate and the name of the applicant was referred to the respondents as General Candidate. The applicant thus was well aware that his Caste Certificate has not been accepted. In the circumstances we do not find any good ground for interference in the selection. The O.A has no merit and is accordingly dismissed. No costs.