

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

Allahabad this the 11th day of September 2000.

Original Application no. 1644 of 1999.

Hon'ble Mr. S.K.I. Naqvi, Member-J

Hon'ble Mr. M.P. Singh, Member-A

Smt. Radha Rani Dixit,
wife of late Shri Awadesh Kumar,
R/o Mohalla Mehmand Jalal,
Nagar, Shahjahanpur.

... Applicant

C/A Shri P. Chandra

Versus

1. Union of India, through the Divisional Railway Manager, Northern Railway, Moradabad.
2. Senior Divisional Personnel Officer, Moradabad.
3. Divisional Engineer, Northern Railway, Shahjahanpur.

... Respondents.

C/Rs Shri A.K. Pandey.

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O R D E R

Hon'ble Mr. S.K.I. Naqvi, Member-J

Smt. Radha Rani Dixit, applicant, wife of late Shri Awadesh Kumar, who died in harness on 1.4.97 has been appointed as Khalasi i.e. class IV post on compassionate ground, but she is not satisfied with this appointment and claims that she deserves to be taken in class III service in view of her qualification as Stenographer, for which she has obtained diploma also. The applicant has also mentioned that she made representation to respondents establishment with the request that she be provided some job in accordance with her qualification, ~~but her requested~~ ^{not} has been acceded and turned down vide letter dated 8.6.99. Copy of which has been annexed as annexure 6. Now she has come up to quash this letter dated 8.6.99, copy of which has been annexed as annexure 6 and to issue direction to the respondents to provide class III post to the applicant according to her qualification.

2. Perusal of impugned annexure (annexure 6) shows that the applicant was given opportunity to appear in the test for appointment in group 'C', but she could not qualify the same. It is also mentioned in this letter that in future she may get group 'C' service at her turn as per rules.

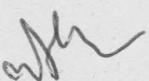
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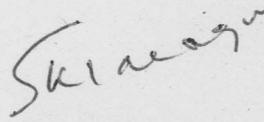
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4. Learned counsel for the applicant submitted that other similarly situated employees have been given three chances to appear in the test for appointment in group 'C' post, but the applicant has been afforded only one opportunity.

5. The OA is disposed of with the direction to the respondents that the applicant may also be given opportunity to qualify the test as may be permissible under rules and to ensure that no ~~un~~justice or discrimination is done to her.

6. There shall be no order as to costs.


Member-A


Member-J

/pc/