

13

CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH: CUTTACK.

Original Application No.191 of 1988.

Date of decision - April 17, 1990.

Pradeep Kumar Pattnayak ..... Applicant  
Versus.

Union of India and others ..... Respondent

For the Applicant ..... M/s. J.Das, B.S.Tripathy,  
S. Mallik, and S.  
Misra, Advocates

For the Respondents ..... Mr. L.Mohapatra,  
Standing Counsel (Railways)

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CORAM:

THE HON'BLE MR. B.R. PATEL, VICE- CHAIRMAN  
A N D

THE HON'BLE MR. N. SENGUPTA, MEMBER (JUDL.)

1. Whether Reporters of local papers may be allowed to see the judgment ? Yes.

2. To be referred to the Reporters or not ? No

3. Whether Their Lordships wish to see the fair copy of the judgment ? Yes.

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JUDGMENT.

N. SENGUPTA, MEMBER (J). The applicant in this case appeared at a written test held in pursuance of the advertisement dated 7.2.87 for selection of candidates to be empanelled for appointment as Trainee Chargeman Grade II. It is the

*Mem. Encl. b  
17/4*

admitted case that the applicant qualified in the written test and was called to appear at the Viva-voce test. It is also undisputed that the applicant's name did not appear in the panel list of selected candidates after the viva-voce test. The applicant's grievance is that there was some ~~grumbling~~<sup>- bungling</sup> as a result of which his name was omitted and the names of two others who did not qualify themselves in the written examination came to be published as candidates finally selected. This, the applicant bases on the list published in the Employment News.

2. The case of the Railway Recruitment Board is that in the Employment News the Roll Numbers of the two referred to by the applicant in his application have been wrongly printed. It is their further case that the roll numbers were correctly printed in the 'Samaj' the local daily newspaper.

3. We have heard the learned counsel for the applicant and Mr. L.K. Mohapatra for the Railway Recruitment Board. On being requested Mr. Mohapatra has produced the original result sheet with the marks obtained by different persons, the xerox copies of which have been made annexures to the counter filed by the respondents. On a perusal of Annexure-A/1 it would appear that in the list printed in that paper Roll Nos. 005951 and 006024 appear and these are the two roll numbers to which the applicant has referred in para-6.6 of his application. It would further be found that these two persons secured 68 and 70 marks in the aggregate whereas the applicant

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obtained 55 marks in all. Thus it is apparent that those two persons really qualified and secured higher marks than the applicant. The learned counsel for the applicant after going through the annexures to the counter and also the original result sheet produced today, has been unable  
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to show ~~is~~ any person securing less marks than the applicant in the category to which he belongs has been selected. In these circumstances, the applicant is not entitled to any relief and we hereby reject the application. However, due to omissions in the Employment News, we do not like to saddle the applicant with costs.

B. S. Patel ..... 17.4.90  
VICE- CHAIRMAN.

Alka Engls ..... 17.4.90  
MEMBER (JUDICIAL)

