

13

19

CENTRAL ADMINISTRATIVE TRIBUNAL: CUTTACK BENCH

Original Application No. 493 of 1990

Cuttack this the 1st day of November, 1994

Chaitan Prasad Singh

Applicant(s)

Versus

Union of India & Others

Respondent(s)

(FOR INSTRUCTIONS)

1. Whether it be referred to reporters or not ? *m*
2. Whether it be circulated to all the Benches of the Central Administrative Tribunals or not ? *m*

  
(H. RAJENDRA PRASAD)  
MEMBER (ADMINISTRATIVE)

01 NOV 94

  
(D.P. HIREMATH)  
VICE-CHAIRMAN

14

(20)

CENTRAL ADMINISTRATIVE TRIBUNAL: CUTTACK BENCH

Original Application No. 493 of 1990

Cuttack this the 1st day of November, 1994

C O R A M:

THE HONOURABLE MR. JUSTICE D.P. HIREMATH, VICE-CHAIRMAN

AND

THE HONOURABLE MR. H. RAJENDRA PRASAD, MEMBER (ADMINISTRATIVE)

...

Chaitan Prasad Singh,  
aged about            years,  
at present working as  
Roster Clerk,  
Jharsuguda S.E. Railway,  
Chakradharpur Division

... Applicant/s

By the Advocate: M/s. J. Das

B.S. Tripathy

K.P. Mishra

S. Mallik

B.K. Sahoo

P.K. Mohapatra

Versus

1. Union of India,  
represented through the  
General Manager,  
South Eastern Railway  
Calcutta

2. Dy. Divisional Railway Manager  
South Eastern Railway  
Chakradharpur Division

3. Sr. Divisional Personnel Officer  
South Eastern Railway  
Chakradharpur Division

... Respondent/s

By the Advocate: Mr. D.N. Mishra

Standing Counsel

(Rly. Administration)

O R D E R

D.P. HIREMATH, V.C.: The petitioner makes a grievance that all was not well with the selection procedure to the post of Guards inasmuch as the discretion, <sup>was used</sup> in the matter of awarding marks for weightage. Three candidates who had failed in the written test were also included but depending on Railway Board Circular

C

weightage marks were given to those who were senior in length of service and that perhaps benefited ~~to~~ the three candidates against whom the petitioner has now a grievance, But it may be said to the credit of the respondents that even weightage mark was given to the petitioner as well, In spite of that because he failed in viva voce test which we got ourselves ascertained from the marks which made available to us ~~that~~ he could not be appointed. We may even go to the extent of stating that whatever irregularities may be done in respect of particular candidate, which in this case has not happened, The petitioner who did not qualify himself <sup>by</sup> ~~for~~ passing in the examination the results of which were declared by considering both the written test and viva voce examination cannot make a grievance against the appointments now made or against his non-inclusion in the select list. There is no merit in this petition. The same is dismissed. No order as to costs.

  
(H. RAJENDRA PRASAD)  
MEMBER (ADMINISTRATIVE)

01 NOV 94

  
(D. P. HIREMATH)  
VICE-CHAIRMAN