

4

51

(A) OA-250/95-

Serial No. of Order	Date of Order	Order with Signature	Office note as to action (if any) taken on order
4.4.2001		<p>Learned counsel for the petitioner Shri D.Mohanta is absent. There has been no request made on his behalf seeking adjournment. As this is a 1995 matter and we have already heard Shri S.B.Jena, learned Addl. Standing Counsel in part on 29.3.2001, on which day also Shri Mohanta was not present, it is not possible to adjourn this matter any further. We have, therefore, heard Shri S.B.Jena, learned Addl. Standing Counsel and perused the records.</p> <p>In this application the petitioner has prayed that result of the trade test declared wide Annexure-3 should be quashed and the entire process of test on practical papers should be declared illegal. The departmental respondents have filed counter opposing the prayer of the applicant. Private respondents were issued with notices, but they neither appeared nor filed any counter. Applicant has not filed any rejoinder.</p> <p>For the purpose of considering this petition it is not necessary to go into too many facts of this case. Admittedly the applicant is working as Refrigeration Mechanic, Skilled, under the respondents. He has stated that he was officiating in the post of Refrigeration Mechanic High Skilled II, which is denied by the respondents in their counter. It is stated that Refrigeration Mechanic High Skilled can be promoted to the next grade of Refrigeration Mechanic High Skilled-II only after passing the trade test in High Skilled Grade-II category. It is also the admitted position that the applicant</p>	<p>Counter not filed for further orders.</p> <p>فاتح 16/1x</p> <p>Regd</p> <p>order dt. 3.2.95</p> <p>Three weeks further time is granted to file counter.</p> <p>Scd Regd</p> <p>Counter not filed for further orders.</p> <p>فاتح 16/1x</p> <p>Regd</p> <p>order dt. 17.11.95</p> <p>Three weeks as a last chance allowed to file counter.</p> <p>Scd Registrar Counter not filed. Last chance also over.</p> <p>SDR 11/12 B. Arora</p>

Serial
No. of
OrderDate of
Order

Order with Signature

along with others appeared in the trade test conducted on 19.10.1993 and was not successful. Respondents have pointed out that on the basis of the trade test DPC meeting was held on 2.12.1993 and on subsequent days and 13 persons including private Res.4 were promoted to the post of Refrigeration Mechanic High Skd.II. The grounds on which the applicant has challenged the trade test and the averments made by the respondents are discussed below.

The applicant has stated and it is also admitted by the respondents that in that test 35% of marks was on theory paper, 25% for viva voce and 40% for practical test. Applicant has stated that he appeared at the written test and also viva voce test. But while he was awaiting for the practical test, he came to know that the result of the practical test had already been declared and he came out unsuccessful. He has alleged that no such practical test was conducted and this was done only for the purpose of accommodating certain favoured candidates in the list of successful candidates at Annexure-3. Respondents have pointed out that the Chief Engineer (R&D), Secunderabad constituted the Board of officers to conduct the practical and viva voce test which was autonomous in character and had chosen to conduct both the tests simultaneously. Accordingly the practical test was conducted for all candidates uniformly along with viva voce test and there was no discrimination against the applicant. It is stated that all the officers in the Board were from outside the local office at

MA - 864/95
Copy served.

MA - 806/95 - for
time to file
objection. Copy
served.

9/1 B week

Amendment
not carried out
for further
orders.

15/1 Regist
order dt 16.1.96

Amendment be
carried out by
two weeks.

SG
Registrar

Order dt 30.1.96

One week time
is granted to
carry out the
Amendments. None
appears for the
applicant.

SG
Mug

Serial No. of Order	Date of Order	Order with Signature	Office note as to action (if any) taken on order
		<p>selection and as we hold that there has been no irregularity in conducting the said selection, this O.A. is held to be without any merit and the same is rejected, but without any order as to costs.</p> <p>..... MEMBER (JUDICIAL)</p>	<p>A onward movement not yet carried out.</p> <p>Counter R.M. 22/4 B. work</p> <p>4.4.2001 A onward movement not carried out.</p> <p>22/4 B. work</p> <p>A onward movement not carried out.</p> <p>R.M. B. work</p>
			<p>Counters by R.M to R-9 has not filed. for further orders.</p> <p>20/6. R.M. B. work</p>