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CENTRAL ADMINISTRATIVE TRIBUNAL ; CUTTACK BENCH; CUTTACK.

ORIGINAL APPLICATION NO.768 OF 1995.

Cuttack this the 10th day of March, 1997.

Surendra Nath Samal. ... Applicant.

Versus.

Union of India and others. ... Respondents.

(FOR INSTRUCTIONS)

1. Whether it be referred to the reporters or not ?
2. Whether it be referred to other Benches of the Central Administrative Tribunal or not ?

Somnath Som
(SOMNATH SOM)
VICE- CHAIRMAN. 10.3.97

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ORIGINAL APPLICATION No.768 of 1995.

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CORAM :

THE HONOURABLE MR. SOMNATH SOM, VICE-CHAIRMAN.

A N D

THE HONOURABLE MRS. LAKSHMI SWAMINATHAN, JUDICIAL MEMBER.

...

surendranath Samal, aged about 50 years,
Son of Late Bhramarbar Samal,
At present working as Inspector,
C.S.D., A.R.C., Charbatia, Dist-Cuttack.

... Applicant.

Versus.

1. Union of India, represented by its
Secretary, Department of Cabinet Affairs,
Cabinet Secretariat, New Delhi.
2. Director, Aviation Research Centre,
East Block-V, R.K.Puram, New Delhi-110 066.
3. Assistant Director, Aviation Research Centre,
Charbatia, District- Cuttack- 754 028.

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10.3.97
4. Commandent C.S.D.,
Aviation Research Centre,
Charbatia, District-Cuttack.

... Respondents.

ADVOCATES :

For the Applicant.

:- M/s. C.A.Rao,
S.Ku.Behera and
P.Ku. Sahoo.

For the Respondents.

:- Mr. Ashok Mohanty,
sr.standing Counsel(Central).

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O R D E R.

SOMNATH SOM, VICE-CHAIRMAN :

This is a petition under section 19 of the

Administrative Tribunals Act, 1985, filed by Surendranath Samal, Inspector, Central Storage Depot, A.R.C. Charbatia in the district of Cuttack praying for quashing Annexures-1, 2, 4 and 6 deputing him for Armourer Basic Course at 1 E.M.E. Centre, Secunderabad from 8.1.1996 to 18.1.1997. During the pendency of this Original Application no stay of the impugned orders was given and at the time of hearing, it was submitted by learned lawyer for the petitioner that in the meantime the petitioner had undergone the training and come back to his station of duty. In view of this, the prayer for quashing Annexures-1, 2, 4 and 6 has become infructuous.

2. Petitioner has also prayed for a declaration from the Tribunal that this training is not required for the supervisory staff like the petitioner. In view of the fact that the petitioner has already undergone the training, it is not necessary for us to consider if this training is required or not for the officers at the Inspectors' level. In any case it is for the departmental authorities to decide the type of training which a Government servant in course of his service career should undergo depending upon the requirement of his job. This matter is best left to the departmental authorities and the courts should normally be reluctant to enter into such matters except when not undergoing any training results in adverse consequence for the Government servant in his future service career. That is not the case here. As such, we hold that it is unnecessary for us to consider this part of the prayer.

Sammith Singh
10.3.97

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3. The third prayer of the petitioner is that the respondents should be directed to provide incentive to the petitioner for having completed the training course. It is submitted by the petitioner himself in para-1 (iv) of his petition that no additional incentive is provided for the incumbents who acquire this training. As a matter of fact, this was one of the grounds of his challenge to the orders deputing him for training. As admitted by the petitioner, there is no system of providing any incentive after completion of this training. Along with the petitioner, other officers were deputed for undergoing the same training. There is no incentive for them also. Therefore, the petitioner cannot claim that for him alone incentive should be provided. In any case, training is imparted for improving the skill of a Government servant to increase his usefulness in his job. In the facts and circumstances of the case, in the absence of any material placed on record by the applicant, we see no justification to interfere in the matter. This prayer is, therefore, rejected.

4. In the result, therefore, the petition fails and is dismissed. There shall, however, be no order as to costs.

Lakshmi Swaminathan
(LAKSHMI SWAMINATHAN)
JUDICIAL MEMBER.

Somnath Som
(SOMNATH SOM)
VICE-CHAIRMAN.

DJ/