

# NOTES OF THE REGISTRY

# ORDERS OF THE TRIBUNAL

For Admission /  
final disposal.

5/12/04

Bench

Order dated 6.2.2004

Copy of order  
prepared for  
counsel by  
Sd.

17/2/04

17/2/04  
Sd (5)

Order dated 12-12-04

At the instance of Shri P.R.J. Reddy  
let this be listed in its turn, for  
final disposal at the admission stage.

Vice-Chancellor  
12/12/04  
K. Srinivas

Order dated 6.2.2004

In this case the applicant has challenged the order of cancellation of the selection held in May, 2002 for the post of Junior Engineer (Elect.) Gr.II. The applicant joined as Skilled Artisan, Gr.III on 1.4.1985. His next promotion is to the post of Intermediate Apprentice (Elect) which was earlier conducted zone wise.

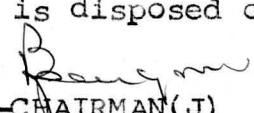
Subsequently after implementation of 5th Pay Commission's report, now the posts are being filled in Division wise. Thus the applicant has claimed for being considered to the post which he is now holding under S.E. Railway/ redesignated East Coast Railway in Khurda Road Division. Pursuant to a letter issued by the Senior Divisional Personnel Officer, the applicant appeared for selection to the post of Intermediate Apprentice Mechanic (Elect.) held on 23rd and 30th January/2000 and the viva voce on 8.5.2000. Thereafter it appears that the Respondents, by virtue of letter dated 8.6.2000 (Annexure-4) cancelled the said examination until further orders. Therefore, being aggrieved by such order of cancellation the applicant has filed this case.

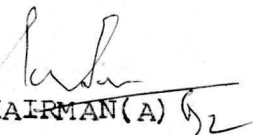
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The Respondents in their reply have averred that due to certain administrative exigency they had no other way but to cancel the examination since after selection it was noticed that there were serious irregularities in conducting selection test. Therefore, the applicant's case shall be considered as and when such selection takes place. The learned counsel for the applicant submitted that since the applicant in the meanwhile has attained the age of 45 years which precludes him from appearing the examination, the Respondents shall very likely not permit him to appear in the selection test. In this case we found that the applicant was once permitted to appear in the selection test and for no fault of his the selection test was cancelled. In this peculiar circumstances, we therefore, ask the Respondents to permit the applicant to appear in the selection test for the post of Intermediate Apprentice Mechanic(Elect.) as and when it is conducted if it is found he is overaged.

Shri Ashok Mohanty, learned senior counsel for the Respondents is present and heard.

With the above observation and direction, the O.A. is disposed of. No costs.

  
VICE-CHAIRMAN(J)

  
VICE-CHAIRMAN(A) 52