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CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH, CUTTACK

**O. A. No. 978 OF 2013**  
**Cuttack, this the 27<sup>th</sup> day of September, 2016**

CORAM  
**HON'BLE MR. R.C. MISRA, MEMBER(A)**  
**HON'BLE MR. S.K. PATTNAIK, MEMBER(J)**

.....

Bhabagrahi Jena,  
aged about 35 years,  
Son of Late Trilochan Jena,  
resident of At-Kodandapur,  
PO-Chakbarhapur, PS-Soro, Dist-Balasore.

.....Applicant

By the Advocate(s)-M/s. D. Routray, S. Das, R.P. Dalai, S.K. Samal,  
S.C. Das, S.D. Routray.

-Versus-

**Union of India, represented through**

1. General Manager, East Coast Railway, Chandrasekharpur, Bhubaneswar-17, Dist-Khurda.
2. The Secretary, Railway Board, Rail Bhawan, New Delhi.
3. General Manager, East Coast Railway, Chandrasekharpur, Bhubaneswar-17, Dist-Khurda.
4. Chief Personnel Officer, East Coast Railway, Chandrasekharpur, Bhubaneswar-17, Dist-Khurda.
5. Dy. Chief Personnel Officer(Rect.), East Coast Railway, Chandrasekharpur, Bhubaneswar-17, Dist-Khurda.
6. Asst. Chief Personnel Officer(Rect.), East Coast Railway, Chandrasekharpur, Bhubaneswar-17, Dist-Khurda.

.....Respondents

By the Advocate(s)- Mr. N.K. Singh

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**ORDER (ORAL)**

**S.K.PATTNAIK, MEMBER (JUDL.):**

In a second round litigation, the applicant challenges the speaking order dated 06.11.2013 passed by the General Manager, E.Co.Rly., wherein his representation has been rejected. Earlier, the applicant had approached this

*S.K. Pattnaik*  
27/9/16

Tribunal in O.A. No. 537/13 challenging his non-selection. This Tribunal by order dated 14.08.2013 had directed General Manager to dispose of the representation of the applicant by passing a well reasoned order and in pursuance of the said direction, the General Manger has passed the impugned order.

2. Since the applicant in spite of several opportunities did not attend this Tribunal, the matter is disposed of on merit under Rule 15 of the CAT (Procedure) Rules, 1987.

3. The ground taken by the General Manager in rejecting the candidature of the applicant is very simple. According to the Respondents, a Male candidate to qualify in Physical Efficiency Test (PET) was to run 1500 meters in 6 minutes in one chance. But, the applicant though attended the PET ~~could~~ not qualify the same. The Respondents have further reflected in the speaking order that the result of the PET was declared on the spot soon after the running and the entire PET was videographed. As the applicant could not cover the distance within the stipulated time of 6 minutes, he was found not suitable for the post.

4. Since there is nothing wrong in the impugned order, no interference is called for. Hence, the O.A. being devoid of merit is dismissed.

No costs.

  
(S.K.PATTNAIK)  
MEMBER (J)

  
(R.C.MISRA)  
MEMBER (A)