

D6

CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH : JODHPUR.

Date of Order : 07.01.2002

O.A No. 14/2001.

1. Gurudas S/o Shri Tiluram aged 35 years FGM r/o Manniwali Tehsil Sadalsahar District Sriganganagar.
2. Gurnam Singh s/o Shri Sher Singh aged 36 years, FGM r/o 13 Q, Bakhtana District Sri Ganganagar.
3. Ram Karan s/o Shri Pema Ram aged 37 years, Electrician, r/o MES Quarters, KBB 1/1 Sriganganagar.
4. Shyam Bahadur s/o Shri Ram Garib aged 41 years, Electrician r/o MES Quarters, No. KPB/1/5, Sri Ganganagar.
5. Pradeep Kumar s/o Shri Som Dutt aged 37 years, Electrician, r/o KPA, Sri Ganganagar.
6. Ashok Kaushik s/o Shri Surendra Kaushik aged 37 years, Electrician, r/o T 6 B Block Sri Ganganagar.
7. Bhagirath s/o Shri Kashi Ram aged 35 years, Carpenter, r/o Water works Colony, Q. No. 14, Sri Ganganagar.
8. Raj Kumar s/o Shri Jagdish Prasad aged 35 years, Fitter, Water works Colony, Q. No. 14, Sri Ganganagar.
9. Ladu Ra, s/o Shri Devi Singh aged 43 years, Caneman, r/o KPA/4 Sri Ganganagar.
10. Ramesh Chandra s/o Shri Rodaram aged 36 years, Mazdoor r/o KPA/3/2 Sri Ganganagar.
11. Munu Lal s/o Shri Rohan Lal aged 38 years, Mazdoor, r/o KPA/6/9 Sri Ganganagar.
12. Rajendra Kumar s/o Shri Sri Ram aged 34 years, Mazdoor, r/o H. No. 804, Ward No. 11, Leela Chowk, Sri Ganganagar.
13. Bhashi Pal s/o Shri Gulab Ram aged 36 years, Mazdoor, r/o KPB/7/2 Sri Ganganagar.
14. Bajrang Lal s/o Shri Oma Ram aged 34 years, Mazdoor r/o KPA, Sri Ganganagar.
15. Prahlad Singh s/o Shri Man Singh aged 36 years, Chowkidar r/o KPA 4/2, Sri Ganganagar.
16. Chiman Lal s/o Shri Puran Chand aged 44 years, Chowkidar, r/o KPA/7/11 MES Quarters, Sri Ganganagar.
17. Hanumana Saharam s/o Shri Megha Ram aged 34 years, Electrician, r/o Will. Sadhuwali Distt. Sri Ganganagar.



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18. Rajendra Pratap s/o Shri Panaru Singh aged 34 years Electrician, r/o Ward No.1, Devnagar JCT Mill, Sri Ganganagar.
19. Manjeet Singh s/o Shri Swaran Singh aged 36 years, Fitter r/o Ward No. 15, Purani Abadi, Sri Ganganagar
20. Prem Pal s/o Shri Shamsher Singh aged 35 years, Carpenter, r/o Tootwali Teh. Abor District, Firozpur (Punjab) .
21. Prem Kumar s/o Shri Keshav aged 38 years, Mazdoor r/o Vinaba Basti, Sri Ganganagar.
22. Vijay Kumar s/o Shri Kashi Ram aged 40 years, Ref. Mechanic, r/o Ward No. 11, Purani Basti, Sri Ganganagar.
23. Dharam Pal s/o Shri Ram Kumar, aged 36 years, Electrician r/o Ward No.23, Surjeet Singh Colony, Sri Ganganagar.

all working under Garrison Engineer, Lalgarh Jattan District Sri Ganganagar.



... APPLICANTS.

versus

1. Union of India through the Secretary to the Government, Ministry of Defence, Raksha Bhawan, New Delhi.
2. Commandar Works Engineers, MDS, Sri Ganganagar.

... RESPONDENTS.

None is present for the Applicants.

Mr. S. K. Vyas, counsel for the Respondents.

CORAM

Hon'ble Mr. Justice O.P. Garg, Vice Chairman.
Hon'ble Mr. Gopal Singh, Administrative Member.

O R D E R :
(per Hon'ble Mr. Justice O.P. Garg)

List has been revised. None appears on behalf of the applicants, who are twenty three in number. The applicants are working under the Garrison Engineer Lalgarh, Jattan in District Sri Ganganagar.

D8

2. By means of this OA under Section 19 of the Administrative Tribunals Act, 1985, the applicants have claimed the following relief:-

"That the impugned order Annexure A-1 may kindly be quashed and set aside and the respondents be directed to give benefits under ACP Scheme. In case this Hon'ble Tribunal comes to conclusion that the Trade Test is necessary for giving benefits, the applicant prays that the respondents be directed to hold the Trade Test of the applicants. Any other relief which this Hon'ble Tribunal deems fit just and proper in the facts and circumstances of the case may kindly be passed in favour of the applicants".

3. A detailed reply to the various averments made by the applicants has been brought on record by the contesting respondents. It is stated that pursuant to the Scheme for the Assurred Career progression for the Central Government Civilian employees, the applicants were required to undergo a test which was, as a matter of fact, held, but the applicants failed in that test. After having heard Shri S.K. Vyas, learned counsel for the contesting respondents and taking into consideration the documents brought on record, we find that the applicants under the said Scheme, as clarified for the Central Government Civilian Employees, subsequent by letter dated 10.02.2000, a copy of which is Annexure R-7 to the reply, were required to take up the test. It cannot be said that the applicants could not be forced to appear in the test. With a view to avail the benefit of the Scheme aforesaid, a test was necessary. The applicants as said above, did appear in the test, but failed. We find that the case as put up by the applicants is devoid of an merit and substance. They are not entitled to the relief as claimed. The OA is accordingly dismissed without any order as to costs.

lmpd
(A.P. NAGRATH)
Adm. Member

W
(JUSTICE S.P. GARG)
Vice Chairman

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10.1.02

Part II and III destroyed
in my presence on 20.6.7
under the supervision of
section officer (J) as per
order dated 14.5.1972

~~Section officer (Record)~~