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**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH**

Original Application No. 130/2004

Date of Decision: 29.08.2005

CORAM:

HON'BLE MR. J.K. KAUSHIK, JUDICIAL MEMBER.

HON'BLE MR. G.R. PATWARDHAN, ADM. MEMBER.

Laxmikant Lata S/o Shri Ram Dayal, Aged about 22 years, R/o
13/301, M.P. Nagar, Bikaner.

.....Applicant.

(Mr. Y.K. Sharma, Counsel for the applicants)

VERSUS

1. Union of India through Secretary, Dept. Of Communication,
Dak Tar Bhawan, New Delhi.
2. Chief Post Manager General, Rajasthan Circle Jaipur.
3. Supdt. Of Post Office, Nagour.

.....Respondents.

(Mr. Vinit Mathur, Counsel for the respondents.)



ORDER

By Mr. J.K. Kaushik, Judicial Member

The Original Application No. 130/2004 has been filed under Section 19 of the Administrative Tribunal Act wherein the applicant has sought for a mandate to the respondents to consider the candidature of the applicant for the post of Postal Assistant in accordance with the conditions laid down in Annexure A/1.

2. With the consent of learned counsel for both the parties, the case was taken up for final disposal at the stage of admission. We have accordingly heard the argument advanced at the bar and carefully considered the pleadings and perused the records.

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3. The indubitable facts of the case are that the applicant appeared in the selection test for the post of Postal Assistant which came to be held in pursuance of the advertisement at Annexure A/1. Respondents have conducted various tests including the aptitude test which was conducted by written examination. The applicant has challenged the action of the respondents on the sole ground that the written test was not contemplated as per the advertisement and the applicant who had otherwise a good merit, failed only in written test.

4. Both the learned counsel for the parties have reiterated the facts and grounds mentioned in the respective pleadings. The learned counsel for the respondents has submitted that there was an aptitude test as a part of the selection and the same has been conducted while in consonance with the advertisement which has been relied upon by the applicant. He has also contended that the similar examination was conducted in respect of all the candidates and the applicant can have no complaint since no discriminatory treatment has been meted out to him.

5. We have considered the rival submissions and contentions raised in this case. The bare perusal of A/1 reveals that there is a mention of preparing the panel on the basis of average marks given in various examination and after that the candidates were required to appear in aptitude, type and computer tests and thereafter in interview. In this case, the aptitude test has been conducted through a written test. All the candidates have been

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subjected to such test. In this view of the matter, we do not find that there has been any contravention of Annexure A/1. We find that the applicant has not been wronged in any manner and therefore no interference with the action of the respondents is called for.



6. In the premises, the O.A sans merits, the same fails and stands dismissed, however, with no order as to costs.


(G.R. Patwardhan)
Administrative Member
LG/-


(J.K. Kaushik)
Judicial Member

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Part II and III destroyed
in my presence on 17/11/14
under the supervision of
section officer as per
order dated 18/12/13
Section officer (Records)
17/11/14