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**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH; JODHPUR**

**ORIGINAL APPLICATION NO. 33/2006 & M.A. No.
20/2006**

Date of order: July 28, 2010

CORAM:

**HON'BLE DR. K.B. SURESH, JUDICIAL MEMBER
HON'BLE MR. V.K. KAPOOR, ADMINISTRATIVE MEMBER**

Nachiketa s/o Shri Bhanwar Lal aged about 53 years, working as E.S.M. Khallasi under Junior Engineer S.I.G./East, North-Western Railway, Jodhpur, R/o Gehlotan Ka Bass, Magra Punjala, Jodhpur.

...Applicant.

Mr. J.K. Mishra , counsel for applicant.



VERSUS

1. The Union of India through the General Manager, North-Western Railway, Jaipur.
2. The Assistant Personnel Officer, North-Western Railway, Jodhpur.
3. The Asstt. Signal & Tele-Communication Engineer, North Western Railway, Jodhpur.

... Respondents.

Mr. Manoj Bhandari, counsel for respondents.

ORDER

Per Hon'ble Dr. K.B. Suresh, (JM)

The applicant alleges that a trade test was held on 3.2.2003 and that for some reasons not explained the respondents had not relieved him from service so he was unable to appear for promotion test. The respondents have produced before us the record. We have gone through the record

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carefully. In fact leave has been granted to him on 29.9.2003 to 1.10.2003 and on 3.10.2003 he was allowed by the Divisional Railway Manager's office to appear in the trade test. But, which he did not do. Possibly it may not have taken much time. There is no indication that the applicant was prevented from appearing in the test. It appears that he has been granted opportunity this Tribunal while passing the order earlier had held that during the period he has been paid leave salary as well. Therefore nothing survives to be agitated in this matter.

The O.A. is accordingly dismissed with no order as to costs.

M.A. No. 20/2006 stands disposed of.

Upheld
(V.K. KAPOOR)
ADMINISTRATIVE MEMBER

K.B. Suresh
(DR. K.B. SURESH)
JUDICIAL MEMBER

SK

दिनांक 12/1/15 के आदेशानुसार
बेरी उत्तरियति में दिनांक 11/2/16
को भाग-II का III नं. निम्न गण ।

अनुभास अधिकारी
केन्द्रीय प्रशासनिक अधिकरण
जोधपुर न्यायपीठ, जोधपुर