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**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH; JODHPUR**

ORIGINAL APPLICATION NO. 127/2008

DATE OF ORDER: 13.07.2011

CORAM:

**HON'BLE DR. K.B. SURESH, JUDICIAL MEMBER
HON'BLE MR. SUDHIR KUMAR, ADMINISTRATIVE MEMBER**

1. Krishan Kumar Meena S/o Shri B R Meena, aged about 36 years, R/o Railway Qtr. No. L-77, Old Loco Colony, Ratanada, Jodhpur, at present employed on the post of Senior Assistant Loco Pilot in the office of Senior Section Engineer (Loco) NWR, Jodhpur.
2. Sumit Singh Tanwar S/o Shri Surender Singh Tanwar, aged about 35 years, R/o L-219-C, Old Loco Colony, Ratanada, Jodhpur, at present employed on the post of Loco Pilot (Shunting) Grade-I, in the office of Senior Section Engineer (Loco), NWR, Jodhpur.

...Applicants.

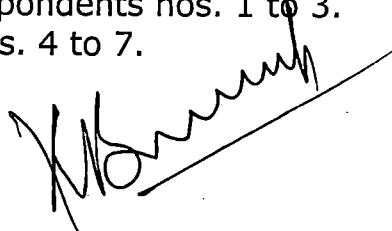
Mr. J.K. Mishra, counsel for applicants.

VERSUS

1. Union of India through General Manager, North-Western Railway, Jaipur, Ganpati Nagar, Opp. Railway Hospital, Hasanpura Road, Jaipur- 302006.
2. Senior Divisional Personnel Officer, NWR, Jodhpur Division, Jodhpur.
3. Divisional Railway Manager, NWR, Jodhpur Division, Jodhpur.
4. Shri Manoj Kumar Namdeo, Senior Assistant Loco Pilot, office of Senior Section Engineer (Loco), NWR, Jodhpur.
5. Shri Suresh Kumar, Senior Assistant Loco Pilot in the office of Senior Section Engineer (Loco), NWR, Jodhpur.
6. Shri Dinesh Meena, Assistant Loco Pilot, office of Senior Section Engineer (Loco), NWR, Jodhpur.
7. Shri Ram Sukh Chaudhary, Loco Pilot Shunter Grade-II, office of Senior Section Engineer (Loco), NWR, Jodhpur.

... Respondents.


Mr. Salil Trivedi, counsel for respondents nos. 1 to 3.
None present for respondent nos. 4 to 7.

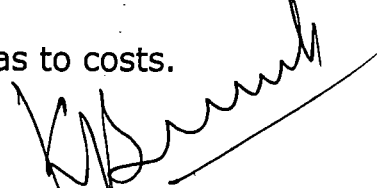


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ORDER
(Per Dr. K.B. Suresh, Judicial Member)

We have heard the learned counsels for both the sides and perused the records of the case. Shri Ramesh Kumar Sharma, Assistant Personnel Officer, Shri Ghanshyam Sharma, Staff Welfare Inspector (Confidential) and Shri Jameel Ahmed Khan, Chief Law Assistant, were also present to assist us. With the help of the counsels and the Officers of the Railways, we have examined the papers, even though we found that probably the applicants could have been awarded better marks in the descriptive portions, as for the applicants also, the examiner would have accepted and adopted a similar yardstick for examining of merit of all the other candidates as well, as there may not be too many examinees, and therefore there would have been only one examiner. Since same yardstick have been used, there may not be much ground for the applicants to object now. Since this is the crux of the matter, we are unable to judicially intervene in the matter. But we record the statement of the learned counsel for the respondents that further opportunities would be available to the applicants. The Original Application is, therefore, dismissed. No order as to costs.


(SUDHIR KUMAR)
ADMINISTRATIVE MEMBER


(DR. K.B. SURESH)
JUDICIAL MEMBER