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**CENTRAL ADMINISTRATIVE TRIBUNAL  
JODHPUR BENCH; JODHPUR**

**ORIGINAL APPLICATION NO. 97/2009**

**Date of order: 01.12.2010**

**CORAM:**

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

Pramod Kumar Sharma son of Shri Bhagwan Sahay Sharma, aged about 28 years, by caste Brahmin, resident of near Kherli Darwaja, Village & Post Bhandarez, Tehsil & District Dausa (Raj.).

...Applicant.

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

**VERSUS**

1. Union of India through the Secretary to the Government of India, Ministry of Defence, Raksha Bhawan, New Delhi.
2. The Commandant, 6 F.O.D. C/o 56 APO.

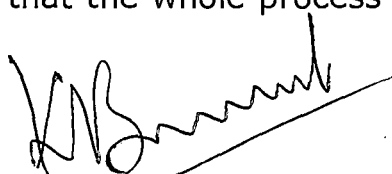
... Respondents.

Mr. M. Godara, proxy counsel for  
Mr. Vinit Mathur, counsel for respondents.

**ORDER**

**(Per Hon'ble Dr. K.B. Suresh, Judicial Member)**

The applicant, following order of the Tribunal in O.A. No. 295/2005 vide judgment dated 18.12.2006 having directed the respondents to consider the candidature of the applicant for selection / recruitment to the post of Mazdoor in pursuance to the advertisement dated 15.08.2005, by taking him as within the prescribed age limit and eligible for the same and in case the applicant is found successful in the selection, he should be appointed to the post in question immediately. Thereafter it was also directed that the whole process should be completed within



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a period of three month from that date. It appears from the Annexure A/1 letter dated 25<sup>th</sup> January, 2008 produced by the applicant that such process was undertaken and the applicant was called for screening test whereby he was made to run a distance of one Mile (1.6 Km.) on the same track / route used for the candidates who appeared in the previous board. The applicant could not finish this distance in the prescribed time of 06.20 minutes as given in PFT of Indian Army and the applicant completed this distance in 6.48.91 minutes as recorded by the Board of Officers in the proceedings. Therefore, the applicant did not complete the preliminary run of 1.6 Km. within time and his case was not recommended for selection by the Board of Officers. This resulted in Annexure A/1 being issued to him showing to him that he was not successful in the selection process, and therefore, they are unable to consider him for the post in question.

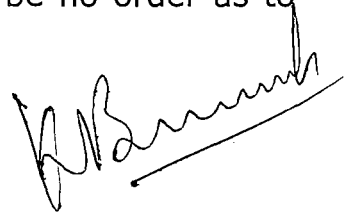
2. The learned counsel for the applicant relied upon on the part of annexure A/5, at page 22, by which he would say that it is a qualificatory bench mark for an allied department; he would further say that for running for the same distance, it is required to be done in 7 minutes or less to get top marks i.e. 20 marks. He also produces and relies on Annexure A/6 at page 26 wherein it is mentioned that within a period of 5.40 minutes or less, if a person can complete the distance of 1 Mile, for this 60 marks can be awarded. He would, thus, say based on this cumulative methodology, that the yardstick adopted by the Board of Officers



was incorrect. However, we feel that the requirements of each department would be different and the applicant also does not seem to have a complaint that any person who had completed the 1.6 Km. run in more time than i.e. 6.48.91 minutes, was considered for appointment, that being so, on a universal parameter, the applicant has also been considered and having failed to meet the criteria, he cannot now claim that the parameters are wrong. Thus, there is no merit in the contentions raised on behalf of the applicant. Therefore, the Original Application is dismissed. There shall be no order as to costs.



**(SUDHIR KUMAR)**  
**ADMINISTRATIVE MEMBER**



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

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