

**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH; JODHPUR**

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ORIGINAL APPLICATION NO. 306/2010

Date of order: 23.11.2010

CORAM:

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

Vinod Singh S/o Shri Ramjeevan Singh, aged about 43 years, by caste Rajput, C/o Chain Singh, Jagdamba Colony, Pratap Nagar, Jodhpur. Presently posted as Loco Pilot Mail, North-Western Railway, Jodhpur.

...Applicant.
Mr. Sukesh Bhati, counsel for applicant.

VERSUS

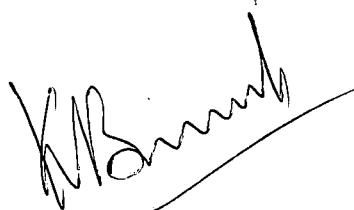
1. Union of India through the General Manager, North Western Railway, Jaipur (Raj.).
2. The Divisional Railway Manager, North Western Railway, Jodhpur.
3. The Senior Divisional Personnel Officer, North Western Railway, Jodhpur.
4. The Senior Divisional Mechanical Manager (Power), North Western Railway, Jodhpur.
5. Mukand Dan Charan, Loco Pilot Goods, C/o Senior DME (P), DRM Office, North Western Railway, Jodhpur.

... Respondents.

Mr. Manoj Bhandari, counsel for respondent nos. 1 to 4.
None present for respondent no. 5.

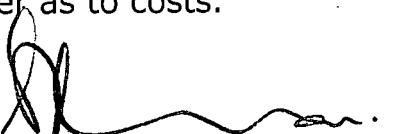
ORDER
(Per Hon'ble Dr. K.B. Suresh, Judicial Member)

In our anxiety to secure justice, we directed the respondents to produce the relevant records relating to the examination and selection. From the record of the examination and selection, we found that the selected persons have secured more marks in the written examination as well as the record of



the service than that of the applicant. It appears from the record that the selected persons have been received awards during the last three years of service, and the record of service are also significantly higher than the applicant. Having found that there is no lacunae in the selection process, we do not think that there is force in the contention of the applicant that annexure A/1 impugned order dated 18/19.10.2010 be quashed and set aside. After the applicant had appeared in the examination and then only because of the result is not favourable to him, he cannot turn around and subsequently contend that the process of the selection was unfair, it is not sustainable in the eyes of law as per the judgment of the Hon'ble Apex Court in the case of Madan Lal and Others vs. State of J & K and others reported in 1995 (3) SCC 486 = 1995 SCC (L&S) 712. The merit is the criteria for selection and having found that the applicant cannot in any way challenge the order of the selection as it appears to have been done transparently and for valid reason, we are inclined to refuse the prayer of the applicant and reject the O.A. as being without merit. Therefore, the Original Application is dismissed at the stage of admission itself.

No order as to costs.



(SUDHIR KUMAR)
ADMINISTRATIVE MEMBER



(DR. K.B. SURESH)
JUDICIAL MEMBER

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दिनांक 12/1/16 के अनुसार
कोलकातायाती रेलवे का 19/1/16
के अन्त-II व III नंबर लिय गए ।

अनुप्राग अधिकारी
केन्द्रीय प्रशासनिक अधिकारी
लोधपुर न्यायालय, राजस्थान