

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.288/06

Wednesday this the 19th day of March, 2008.

CORAM:

HON'BLE Mr. GEORGE PARACKEN, JUDICIAL MEMBER
HON'BLE Dr. K. S. SUGATHAN, ADMINISTRATIVE MEMBER

(By Advocate Shri TC Govindaswamy)

Vs.

1. Union of India represented by the Secretary to Government of India, Ministry of Defence, New Delhi.
2. The flag Officer-Commanding-in-Chief, Southern Naval Command, Head Quarters Office, Naval Base, Cochin.
3. Flight Logistics Officer (CIV), INS Garuda, Cochin-4. Respondents

(By Advocate Shri TPM Ibrahim Khan, SCGSC)

The application having been heard on 19.3.2008 the Tribunal on the same day delivered the following:

ORDER

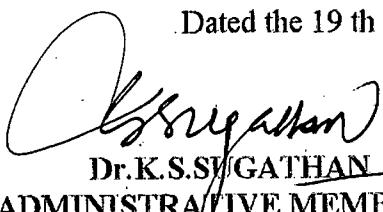
HON'BLE Mr. GEORGE PARACKEN, JUDICIAL MEMBER

In terms of Annexure A-1 Notification dated 4.11.2005, the Applicant participated in the Trade Test for the post of Foreman in the scale of Rs.7450-11500. By A-2 Staff Minutes Sheet bearing No. 276/56/5 dated 30.12.2005 issued by the 3rd respondent, he was shown as "not qualified". He has made a representation against the same and vide Annexure A-4 Staff Minute Sheet dated 14.3.2006 he was informed that he was not qualified because he did not secure a separate minimum of 50% in oral test, which is said to be based on Annexure A5

Circular. The applicant was aggrieved by (a) the prescription of 100% marks for oral test and; (b) a separate minimum for the oral test and also the denial of promotion to the post of Foreman (AL).

2. When the matter came up before the Bench today, the learned counsel for the applicant submitted that the applicant has passed in the subsequent qualifying examination and he has no further grievance in the matter and wants to withdraw the O.A. Accordingly, the O.A. is dismissed as withdrawn.

Dated the 19th March, 2008.



Dr. K.S. SUGATHAN
ADMINISTRATIVE MEMBER
IV



Mr. GEORGE PARACKEN
JUDICIAL MEMBER