

**CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH,
LUCKNOW**

**Original Application No.389/2011
This the 04th day of April 2012**

**Hon'ble Mr. Justice Alok Kumar Singh, Member (J)
Hon'ble Mr. S.P. Singh, Member (A)**

1. Pawan Kashyap S/o Sri S.D. Kashyap R/o B-107 Purwanchal Nagar, Kalyanpur Police Station-Gudamba, District: Lucknow. Presently posted as (Technician IIInd) under Sr. D.M.E. (C&W) Lucknow.
2. P.K. Srivastava S/o Sri M.P. Srivastava Manaknagar Lucknow Police Station-Talkotora District : Lucknow, Presently posted as (Technician Ist) under Sr. D.M.E. (C&W) Lucknow.
3. R.K. Yadav S/o Sri D.N. Yadav R/o 4/102 Purana Kanpur Police Station-Nawabganj, District: Kanpur, presently posted as (Technician IIIrd) under Sr. D.M.E. (C&W) Lucknow.
4. A.A. Siddiqui S/o I. Ahamad R/o 293/456-old Haiderganj Lakarmandi Police Station-Chauk District: Lucknow, presently posted as a (Technician IIInd) under Sr. D.M.E. (C&W) Lucknow.

...Applicants.

By Advocate: Sri Sanandan Misra.

Versus.

1. Union of India through its General manager, Northern Railway, Baroda House, New Delhi.
2. The Chairman, Railway Board, New Delhi.
3. Divisional Railway Manager (P) Northern Railway, Hazratganj, Lucknow.

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4. The senior Divisional Personnel Officer, Northern Railway, Hazratganj, Lucknow.

.... Respondents.

By Advocate: Sri S. Verma.

ORDER (Oral)

By Hon'ble Mr. Justice Alok Kumar Singh, Member (J)

Heard and perused the record.

2. This O.A been filed for the following relief's:-

“(a). To send the applicant on requisite training at System Training School, NR/Charbagh Lucknow, as such they have qualified written test dated 29.7.2011 of J.E. IInd /C&W held on 16.07.2011 in pursuance of notification No.754E/C&W/Sel./J.E. IInd, 25 % IA quota dated 08.02.2010 and deserve the same.

(b). To Consider the applicants on the post of J.E. IInd consequential and attending benefits of the service.

(c). Any other relief, which this Hon'ble Tribunal may deem fit, just and proper under the circumstances of the case in the interest of justice.

(d). Cost of present case.”

3. The claim of the applicants appears to be based on letter dated 29.07.2011 containing a list of 19 persons including 4 applicants. The contention is that though they were selected in the written examination but are not being sent for training.

4. The perusal of this letter shows that as a result of selection for the post of J.E.-IInd C&W against 25 % IA quota held on 16.7.2011 these 19 employees had qualified for further assessment by the Selection Committee. It is therefore apparent that in fact, these persons were not finally selected rather they were to be further assessed. Nowhere in the entire O.A. it has been averred that further assessment did not take place or

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that without holding further assessment the respondents are proceeding in the matter. Apparently the applicants have not come with clean hands. The O.A. is misconceived and misleading. The pleadings are hazy and not specific.

5. The O.A. is therefore, dismissed. No order as to costs.

S.P.Singh
4.4.12
(S.P. Singh)
Member (A)

Alok Kumar Singh
4.4.12
(Justice Alok Kumar Singh)
Member (J)

Amit/-