

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

Original Application No: 582/1995

Date of Decision: 10.4.2001

Shri Suresh Chandra Mehta Applicant.

(Applicant by Shri S.V.Mahadeshwar Advocate for
Applicant.

Versus

Dy. Chief Electrical Engr. & 2 Ors Respondent(s)

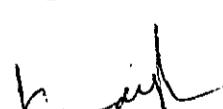
(Respondents by Shri V.S.Masurkar Advocate for
Respondent(s)

CORAM:

Hon'ble Shri. Kuldip Singh, Member (J)

Hon'ble ~~Shri~~ Smt. Shanta Shastry, Member (A)

- (1) To be referred to the Reporter or not?
- (2) Whether it needs to be circulated to other Benches of the Tribunal?
- (3) Library


(Kuldip Singh)
Member (J)

sj*

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI

ORIGINAL APPLICATION No.582/1995

DATE OF DECISION: 10.4.2001

CORAM: HON'BLE SHRI KULDIP SINGH, MEMBER (J)
HON'BLE Smt. SHANTA SHAstry, MEMBER (A)

Shri Suresh Chandra Mehta
S/o K.L. Mehta
R/a: C.Rly. Qrs. No.H/432-E,
Near Police Chowky No.7,
Bhusawal - 425201.

Employed at: Electric Locomotive
Workshop, Computer Cell,
Central Railway,
Bhusawal - 425201.

.... Applicant

(Applicant by Shri S.V. Mahadeshwar, Adv.)

vs.

1. Deputy Chief Electrical Engineer
C.Rly.'s Electric Locomotive Workshop,
at & Post: Bhusawal 425201.

2. General Manager,
Central Railway, Bombay
C.Rly. G.M.'s Office Building,
2nd floor, V.T. D.N.Road,
Bombay 400 001.

3. Union of India
C/o General Manager,
Central Railway,
C.Rly. GM's Office Building,
2nd Floor, V.T., D.N.Road,
Bombay 400 001.

.... Respondents

(Respondents by Shri V.S. Masurkar, Advocate)

ORDER (ORAL)

Per: Kuldip Singh, Member (J):

The Applicant is aggrieved by the Order dated 3.2.1995
whereby the Applicant has been called upon to appear for an
Aptitude test for the post of Console Operator in the Grade
of Rs.1600/- -- Rs.2660/- (RPS). Though in the Original
Application the applicant has sought multiple reliefs, the

for

..2/-

Applicant now concentrates on one issue that since he has already qualified the Aptitude Test for the post of Console Operator, he should not be called upon to appear for the Test again. To support his contentions, the Applicant stated that the earlier Test was conducted on 20.6.1993 and the Applicant was declared qualified in the same with Grade B vide letter dated 8.4.1993 wherein it was mentioned that only those who have secured Grade A & B shall be considered to have passed the Aptitude Test and they will be considered for the purpose of Console Operator as and when the post becomes available.

2. As per the Rule position for the post of Console Operator, the Counsel for the Applicant submits that the Department wants to conduct fresh Aptitude Test for the post of Console Operator and the Applicant cannot be asked to appear for the Test again since the Applicant has already passed the same and the result of which was declared in April, 1993.

3. We have heard the arguments. The Department has already intimated the Applicant vide its letter dated 8.4.1993 that he had passed the Aptitude Test and Secured the B Grade. In view of this stated position, the Department cannot call upon the Applicant to appear in the Test again. Applicant has already qualified the Aptitude Test and secured Grade B.

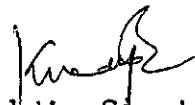
4. Hence we direct the Respondents/Department that the Applicant be considered for the post of Console Operator as and when the vacant post is available without passing a

fresh Aptitude Test in accordance with Rules and Instructions on the subject.

5. The O.A. is disposed of with the above directions. No costs.

Shanta S -
(Smt. Shanta Shastry)

Member (A)


(Kuldip Singh)
Member (J)

sj*