

Central Administrative Tribunal

HYDERABAD BENCH : AT HYDERABAD

O.A. No. 279 of 1991

Date of Decision: 1.4.1991

~~T.A. No.~~

Mr. Azam Ali Khan

Petitioner.

Mr. V.Venkateswara Rao

Advocate for the
petitioner (s)

Versus

The Railway Board and 3 others

Respondent.

Mr. N.R.Devaraj, SC for Railways

Advocate for the
Respondent (s)

CORAM :

THE HON'BLE MR. B.N.Jayasimha, Vice Chairman

THE HON'BLE MR. J.Narasimha Murthy, Member (Judl.)

1. Whether Reporters of local papers may be allowed to see the Judgement? *m*
2. To be referred to the Reporter or not? *m*
3. Whether their Lordships wish to see the fair copy of the Judgment? *m*
4. Whether it needs to be circulated to other Benches of the Tribunal? *m*
5. Remarks of Vice Chairman on columns 1, 2, 4
(To be submitted to Hon'ble Vice Chairman where he is not on the Bench)

BNJ
HBNJ
VC

HJNM
HJNM
M(J)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

ORIGINAL APPLICATION NO.279 of 1991

DATE OF JUDGMENT: 1st April, 1991

BETWEEN:

Mr. Azam Ali Khan

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Applicant

AND

1. The Railway Board, represented by
its Secretary (Establishment),
Rail Bhavan,
New Delhi.
2. The Chairman,
Railway Recruitment Board,
IRISSET Complex,
Lallaguda,
Secunderabad-500017.
3. The General Manager,
South Central Railway,
Rail Nilayam,
Secunderabad.
4. Union of India, represented
by its Secretary to Government,
Ministry of Railways,
New Delhi.

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Respondents

COUNSEL FOR THE APPLICANT: Mr. V.Venkateswara Rao

COUNSEL FOR THE RESPONDENTS: Mr. N.R.Devaraj, SC for Railways

CORAM:

Hon'ble Shri B.N.Jayasimha, Vice Chairman

bvt Hon'ble Shri J.Narasimha Murthy, Member (Judl.)

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JUDGMENT OF THE DIVISION BENCH DELIVERED BY THE HON'BLE
SHRI B.N.JAYASIMHA, VICE CHAIRMAN

Asking The applicant herein has filed this application ~~claiming~~ a direction to the respondents to allow him to appear for the Special Selection Test for the post of Apprentice Diesel Assistant/Electrical Assistant to be conducted by the respondents in pursuance to our orders dated 22.2.1991 in O.A.No.503 of 1990.

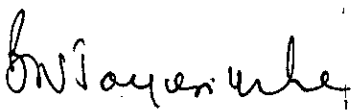
2. The applicant states that he passed intermediate examination and obtained I.T.I. Certificate in Electronics trade. He applied for the post of Apprentice Diesel Assistant/Electrical Assistant in the prescribed form in response to the Employment Notice No.I/90, published by the Railway Recruitment Board, Secunderabad on 20.1.1990. While inviting applications for the said post of Apprentice Diesel Assistant/Electrical Assistant, the qualification prescribed was Diploma in Electrical/Mechanical/Electronics whereas Matriculation/X Class pass under 10+2 system with ITI qualification in any trade is sufficient as per the instructions of the Ministry of Railways. His application was rejected by the Railway Recruitment Board, Secunderabad by a letter dated 17.5.1990 on the ground that he does not have the prescribed qualification i.e., diploma whereas the required qualification is I.T.I. as per the Ministry of Railways instructions. Hence, he filed this application.

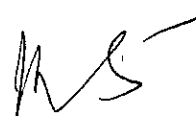
De *bv* 3. Heard the learned counsel for the applicant, Shri V. Venkateswara Rao and the learned Standing Counsel for the Railways/Respondents, Shri N.R.Devaraj. In O.A.No.503 of 1990, similarly situated persons had raised the same point. We had

held that the applicants therein were eligible to apply for the posts of Apprentice Diesel Assistant/Electrical Assistant Category-V as advertised in the Employment Notice No.1/90 dated 20.1.1990. The decision therein will also apply to the present case. The respondents are directed to allow the applicant to sit for the Special Selection Test for the post of Apprentice Diesel Assistant/Electrical Assistant as and when held next.

4. The application is allowed with the above directions.
No order as to costs.

(Dictated in the open Court)


(B.N. JAYASIMHA)
Vice Chairman


(J. NARASIMHA MURTHY)
Member(Judl.)

Dated: 1st April, 1991.

 8/4/91
DEPUTY REGISTRAR(J)

TO:

1. The Secretary, (Estab) Railway Board, Rail Bhavan, New Delhi. ✓
2. The Chairman, Railway Recruitment Board, IRISSET complex, Lallaguda, Secunderabad-500 017.

VSN

The General Manager, south central railway,
Secunderabad.

Ministry of India)

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TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH: HYDERABAD

THE HON'BLE MR. B. N. JAYASIMHA: V.C.

AND

THE HON'BLE MR. D. SURYA RAO: M(J)

AND

THE HON'BLE MR. J. NARASIMHA MURTHY: M(J)

AND

THE HON'BLE MR. R. BALASUBRAMANIAN: M(A)

DATED: 1 4-1991.

ORDER / JUDGMENT.

M.A./R.A./C.A. No.

in

T.A. No.

W.P. No.

O.A. No.

279/91

Admitted and Interim directions
issued.

Allowed. ✓

Disposed of with direction.

Dismissed.

Dismissed as withdrawn.

Dismissed for default.

M.A. Ordered/Rejected.

No order as to costs.

