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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

ORIGINAL APPLICATION No.48/92

DATE OF ORDER: 3-4-1992

BETWEEN :

N.Koteswara Rao

.. Applicant.

A N D

1. The General Manager,
South Central Railway,
Rail Nilayam,
Secunderabad.

2. The Divisional Railway
Manager, South Central
Railway, Vijayawada.

.. Respondents.

Counsel for the Applicant

.. Mr.TVN.Reddy for
Mr.P.Krishna Reddy

Counsel for the Respondents

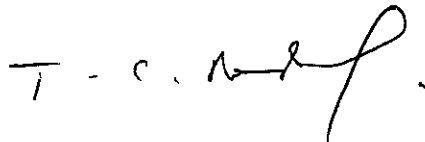
.. Mr.V.Bhimanna

CORAM :

HON'BLE SHRI T.CHANDRASEKHARA REDDY, MEMBER (JUDL.)



(Order of the Single Member Bench delivered by
Hon'ble Shri T.Chandrasekhara Reddy, Member (Judl.)).



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This is an application filed by the applicant under Section 19 of the Administrative Tribunals Act to direct the respondents to revalue the answer papers of the applicant of the examination held on 4.8.1991 for the post of Trainee TXRs after the same is identified by the applicant and pass such other order or orders in the interests of Justice.

The facts giving rise to this OA in brief are as follows:

1. The applicant had joined the Railways as Carriage and Wagon Khalasi (C&W) on 21.12.1962 under Train Examiner (TXR) Tenali. At present, the applicant is working as H.S. Gr.I Fitter under the C&W Superintendent Office, Guntur. The next promotion of the applicant is to the post of Trainee Train Examiner. It is a selection post. For the purpose of promotion to the post of Trainee Train Examiner, the applicant has to qualify himself in the written test as well as in the viva-voce test. Written test for the post of Trainee Train Examiner was held, as against 40% Departmental Quota in Carriage and Wagon department at Vijayawada Division, on 4.8.1991. The results of the examination were published on 18.9.1991. The applicant knew that he had failed in the written examination after the results of the written examination were declared. He also seems to have made representations to the Department for the purpose of revaluation of the answer papers. Anyhow, the respondents did not choose to comply with the request of the applicant. But the applicant seems to have been informed that he had not secured requisite marks of 60%. But the applicant had not been informed as

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how many marks he has secured in the written examination. It is the grievance of the applicant that his answer book had not been properly valued. So, the applicant had filed the present OA for the relief/reliefs as indicated above.

2. Counter is filed by the respondents opposing this OA.

3. Today, we have heard Mr TVN Reddy for Mr P.Krishna Reddy, Advocate for the applicant and Mr V.Bhimanna, Standing Counsel for the respondents.

4. Even though the relief asked by the applicant is to revalue the answer script of the applicant of the said examination that was held on 4.8.1991, no Rule/Circular/Instructions is placed before us that the applicant had a right to ask for revaluation of the said answer script. In view of this position, we have no difficulty to refuse the relief, the applicant had prayed to direct the respondents to revalue his answer script.

5. As per our orders dated 23.3.92, we had directed the respondents to produce the answer script of the applicant with regard to the said examination that was conducted on 4.8.1991 purely for the purpose of verification of the total marks that had been awarded to the applicant to each of his answers in his answer script. Accordingly, the answer script of the applicant is produced today before the Tribunal. In the presence of both the advocates (MR TVN Reddy for Mr P.Krishna Reddy and Mr V.Bhimanna), the applicant went through his answer script and also verified the total marks with regard to the marks that were awarded

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to each of the answers. The applicant is satisfied that it is his answer script that has been produced before this Tribunal and that there is no mistake also in the totaling of the marks. We have also verified the marks in the answer script and we find no mistake in the totaling of the marks. In view of this position, the applicant is not entitled to any relief from the hands of this Tribunal. So, we see no other alternative except to dismiss this OA.

6. Hence, the OA is dismissed. We direct the parties to bear their own costs.

T. Chandrasekhara Reddy
(T.CHANDRASEKHARA REDDY)
Member(Judl.)

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Deputy Registrar(Judl.)

Dated: The 3rd April, 1992

(Dictated in the Open Court)

Copy to:-

1. The General Manager, ^South Central Railway, Rail Nilayam Secunderabad.
2. The Divisional Railway Manager, South Central Railway, Vijayawada.
3. One copy to Sri. P.Kirshna Reddy, advocate, CAT, Hyd.
4. One copy to Sri. V.Bhimanna, SC for Railways, CAT, Hyd.
5. One spare copy.

Rsm/-
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