

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

* * *

O.A.270/96.

Dt. of Decision : 19-06-96.

Mohd. Ismail

.. Applicant.

Vs

1. The Union of India, Rep. by
its Secretary,
Ministry of Defence,
New Delhi.
2. The Chief Engineer(Navy),
Station Road,
Visakhapatnam-4.
3. The Command Works Engineer(P),
MES, Visakhapatnam-8.
4. The Garrison Engineer,
Dry Dock & INS Kalinga,
Station at 9, IRSD,
Visakhapatnam-8

.. Respondents.

Counsel for the Applicant : Smt. Bh.Bharathi Devi

Counsel for the Respondents : Mr. V.Rajeswara Rao, Addl.CGSC.

CORAM:

THE HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.)

CRDER

Oral Order(Per Hon'ble Shri R.Rangarajan, Member(Admn.) X

Heard Mr. Bh.Bharathi Devi, learned counsel for the applicant and Mr. V.Rajeswara Rao, learned counsel for the respondents.

2. The applicant in this OA is working as Highly Skilled Grade-II Vehicle Mechanic under R-3. It is stated that he was informed by R-4 to appear for Sr.Mechanic Highly Skilled Grade-I post to be held on 17-01-96 and 18-01-96 only on 17-01-96 at 10-00 A.M. It is further stated that the applicant was intimated as above at the place where the applicant was on duty i.e., INS Kaliga on that day. It is further submitted that the examination hall where the above trade test is to be held is about 34 KMs from his place of working and because of the distance he reached the examination hall late at 12-15 P.M. R-3 who is the Presiding Officer for the selection did not allow the applicant to write the written test on 17-01-96 as he reached the examination hall late. As he has not attended the written test there will be no use even though he was allowed to appear the oral test.

3. This OA is filed praying for a direction to the respondents to re-order the written test for him for the promotion to the post of Sr.Mechanic Grade-I and to announce the result of the test conducted on 17-01-96 and 18-01-96 for the post of Senior Mechanic Grade-I only after the applicant writes the written test and value the same.

4. When the OA was admitted on 27-02-96 an interim order was issued directing that if any candidate(s) is/are selected/ promoted on the basis of the written test and the viva-voce conducted on 17th and 18th January '96 for promotion to Sr.Mechanic HS-I, the same shall be subject to the outcome of this case. A clear

indication to this effect shall be incorporated in any selection/promotion order that may be issued in favour of any candidate(s) at the said examination.

5. A reply statement has been filed by the respondents. It is stated in page-3 of their reply as follows:-

"Since he was the only candidate who was absent and also after considering his long service in the Department the convening authority has considered his application for a re-test. Necessary Convening Order is already issued (Exhibit-D) and Trade Test will be conducted for written, practical & viva-voce afresh. It is also brought out that as per the orders of the Honourable Court no one will be promoted to Senior Mechanic HS Grade-I till the completion of the trade test for the claimant Shri Mohd Ismail". In view of the above submission, it is clear that the applicant will be given another chance to appear for written oral and practical tests. It is further made clear by the respondents that the result of the examination held on 17-01-96 and 18-01-96 for the post of Senior Mechanic HS Grade-I will not be published till the tests for the applicant is over.

6. In view of the above submission, there is no further direction is necessary in this OA except to observe that the applicant should be re-tested for the post of Sr.Mechanic HS Grade-I expeditiously and the result of the examination held on 17-01-96 and 18-01-96 should not be published before the re-test for the applicant is over and his paper valued.

7. With the above observation the OA is disposed of.
No costs.

over

(R. Rangarajan)
Member(Admn.)

Dated : The 19th June 1996.
(Dictated in Open Court)

M.J.M. 20/6/96
D.Y. Regs (3)

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Copy to:-

1. The Secretary, Ministry of Defence, Union of India, New Delhi.
2. The Chief Engineer(Navy), Stationroad, Visakhapatnam.
3. The Command Works Engineer(P) ? MES, Visakhapatnam.
4. The Garrison Engineer, Dry Dock & INS Kalinga, station at 9, IRSD, Visakhapatnam.
5. One copy to Smt. Bh. Bharathi Devi, advocate, CAT, Hyd.
6. One copy to Sri. V.Rajeswara Rao, Addl. CGSC, CAT, Hyd.
7. One copy to Library, CAT, Hyd.
8. One spare copy.

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X/196.

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THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN: M(A)

DATED: 19/6/96

ORDER/JUDGEMENT

D.A. NO. /R.A. /C.P. No.

in
270746

D.A. NO.

ADMITTED AND INTERIM DIRECTIONS ISSUED
ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

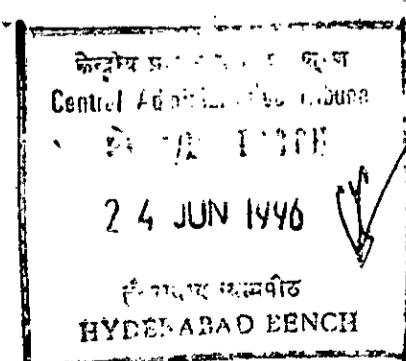
DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS.

YLKR

II COURT



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