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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: JAIPUR BENCH:
J A I P U R.

OA No.489/1994

Date of order: 8-8-1996

Bhoj Raj Singh & Anr.

: Applicants

vs.

Union of India & Ors.

: Respondents

None present for the applicants
Mr. Manish Bhandari, counsel for respondents 1 & 2
None present for other respondents

CORAM:

HON'BLE SHRI GOPAL KRISHNA, VICE CHAIRMAN
HON'BLE SHRI O.P. SHARMA, MEMBER (ADMINISTRATIVE)

ORDER

(PER HON'BLE SHRI GOPAL KRISHNA, VICE CHAIRMAN)

Applicants Bhojraj Singh and Arvind Kumar Bhatnagar in this application under Section 19 of the Administrative Tribunals Act, 1985 have assailed the Panel dated 23.9.1994 and sought a declaration that respondents 3 to 8 be held to be unsuccessful as also for a declaration that the applicants are entitled to be placed in the Panel for appointment in the category of Skilled Artisan. They have also claimed a declaration that the allotment of marks in the scheme of examination referred to in Annexure A-3 is ultravires as being unreasonable, arbitrary and unjustified.

2. None is present for the applicants. We have heard the learned counsel for the respondents and have gone through the records of the case

carefully.

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3. The first ground of attack on the process of selection for the posts in the category of Skilled Artisan in the Railway work-shop, Western Railway, Kota is that interview marks being 30% of the total marks are highly excessive and unjust. This ground of the applicants is not tenable because only 20% marks were prescribed for the interview and the applicants did not make any protest at any stage prior to the filing of this application.

4. The second contention of the applicants is that both of them had qualified in the written-test but they were not selected for being placed in the Panel due to their results in the interview having been judged separately instead of aggregating their marks for determining their results. It has been categorically stated by the respondents in their reply that the Panel Annexure A-1 was drawn on the basis of the total marks obtained by the candidates in the written-test as well as in viva-voce and not on the basis of the marks obtained in the interview alone. This fact has not been controverted by way of filing a rejoinder to the reply by the applicants. It is, therefore, obvious that the total marks obtained in the written-test, viva-voce, record of service and seniority were aggregated for preparing the Panel.

5. The third contention of the applicants is that respondents 3 to 8 were not qualified to appear

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in the selection and that the applicants had undergone the prescribed courses under the Apprentices Act and as such they were better qualified for posts in the category of Skilled Artisan than respondents 3 to 8. The applicants have not filed any document to substantiate this plea. Separate qualifications were prescribed for separate Trades and every-one who appeared in the selection possessed the requisite qualification for that particular Trade for which he had appeared. Respondents 3 to 8 possessed basic qualifications required for that particular Trades for which they had appeared and in such a situation, there is no force in the contention of the applicants that the Panel was not prepared in accordance with rules.

6. we see no merit in this case. This application is, therefore, dismissed with no order as to costs.


(G.P. Sharma)
Member (A)


Gopal Krishna
Vice Chairman