

6

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

O.A.No.202/95

Date of order: 24.4.1996

Smt.Indu Bala Verma

: Applicant

Vs.

Union of India & Ors.

: Respondents

Mr.F.K.Sharma

: Counsel for applicant

Mr.M.Bhandari - Briefholder of Mr.M.Rafiq - for respondents.

CORAM:

Hon'ble Mr.Gopal Krishna, Vice Chairman

Hon'ble Mr.O.P.Sharma, Administrative Member.

PER HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN.

Applicant Smt.Indu Bala Verma, has filed this application under Sec.19 of the Administrative Tribunals Act, 1985, assailing the action of the respondents in not calling her for supplementary suitability speed test vide Annx.A1 dated 23.8.95. She has prayed for a direction to the respondents to treat her as having passed the suitability speed test held on 28.1.1994 or in the alternative to hold a supplementary suitability speed test for her.

2. We have heard the learned counsel for the applicant and Mr.Manish Bhandari, briefholder of Mr.M.Rafiq, counsel for the respondents and have gone through the records carefully.

3. The applicant was appointed as a Stenographer in the grade Rs.1200-2050 on 4.5.1988. Thereafter she was promoted to the grade of 1400-2300(RP) vide order dated 24.12.92 on ad hoc basis and posted under the Chief Engineer (Construction), Western Railway, Jaipur. She was further promoted on ad hoc basis in the grade of Rs.1400-2600 (RP) and posted as Confidential Assistant under the Dy.Chief Operating Superintendent (Construction), Western Railway, Jaipur. She is presently posted in the same grade in Jaipur. She was called ~~upon~~ to appear in the suitability speed test on 28.1.94 for

*C. N. M.* confirmation on the post of Confidential Assistant grade

Rs.1400-2600(EF). However, she could not appear in the test due to her illness for which she had submitted a medical certificate, Annx.A3 dated 27.1.1994. This medical certificate as contended by the learned counsel for the respondents is not in conformity with the requirements of para 3.12 of the Hand Book on Selection Procedure for Non-gazetted Staff (Oct.1991) in as much as the certificate issued to her does not specifically state that she was not in a position to appear in the written/oral test on 28.1.94. The certificate states that the applicant is unfit to perform her duties for 5 days w.e.f. 27.1.95. It has been brought to our notice by the learned counsel for the respondents that a suitability speed test was held on 22.4.96 in which the applicant has also appeared alongwith others. Therefore, the grievance of the applicant has already been redressed. If the applicant succeeds in the suitability speed test held on 22.4.96, her case for confirmation in the grade Rs.1400-2600 shall be considered in accordance with ~~the~~ Rules.



(O.P.Sharma)

Member(A).



(Gopal Krishna)

Vice Chairman.