

CENTRAL ADMINISTRATIVE TRIBUNAL  
JAIPUR BENCH, JAIPUR

## ORIGINAL APPLICATION NO. 291/00790/2015

DATE OF ORDER: 28.03.2016CORAM**HON'BLE DR. K.B. SURESH, JUDICIAL MEMBER  
HON'BLE MS. MEENAKSHI HOOJA, ADMINISTRATIVE MEMBER**

Smt. Geeta Puri Widow of Shyam Kumar Puri, aged about 50 years, working as Sr. Clerk under Assistant Engineer (Works), North Central Railway, Kota R/o House No. 573, Puri Niwas Mala Road, Near Ajay Ahuja Park, Kota Junction – 324002.

....Applicant

Mr. Nand Kishore, counsel for applicant.

## VERSUS

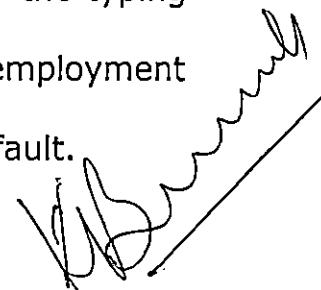
1. Union of India through General Manager, West Central Railway, Jabalpur.
2. Divisional Railway Manager, West Central Railway, Kota.
3. Divisional Personnel Officer, West Central Railway, Kota.

....Respondents

Mr. M.K. Meena, counsel for respondents.

ORDER**(Per DR. K.B. SURESH, JUDICIAL MEMBER)**

Heard. The applicant was appointed as Senior Clerk following the death of her husband on 21.10.2009. The applicant now claims that the Railway did not conduct the required typing test in time and therefore, she should be considered as being regularized by default. It cannot be so because a person who was appointed as a Senior Clerk must be able to know typing for her to effectively discharge her duties. As a mark of special consideration, she was given two years' time to clear the typing test; therefore, tying being essential element of her employment there cannot be any deviation from it by design or default.



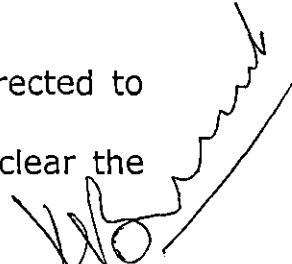
2. But thereafter on 25.02.2013 and 07.01.2014, she was granted chances to appear for the examination but she failed. She would now say that she had qualified a typing test conducted by Ministry of Official Language having a speed of 33.8 w.p.m. in Hindi which was communicated to the respondents on 14.09.2015. She claims that this alternate arrangement may be treated as sufficient qualification.

3. Even though the said typing test may have been conducted by a Government department but it has nothing to do with the job requirement of the Railways. Therefore, she has to pass the examination conducted by the Railways.

4. But then as a mark of special consideration, being a widow of a man who died during duty, we think that the Railways can grant one more additional opportunity to the applicant to clear the typing test within three months next and if she passes, her provisional employment will be converted into the regular appointment or otherwise appropriate steps will be taken by the Railways.

5. It has to be noted in this connection that any reasonable employee can pass the tying test of speed of 25 w.p.m. in Hindi. We are giving this consideration only because the applicant is a widow of a Govt. employee who died in service in an accident, otherwise she is not entitled to any such special benefits at all.

6. For the reasons aforesaid, the respondents are directed to grant one more additional chance to the applicant to clear the

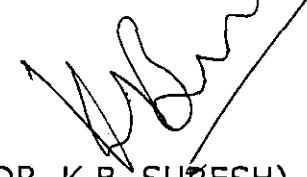


typing test or otherwise the Railways are entitled to and will duty bound to take appropriate action.

7. The Original Application is disposed of with the above observations and directions. No costs.



(MS. MEENAKSHI HOOJA)  
ADMINISTRATIVE MEMBER



(DR. K.B. SURESH)  
JUDICIAL MEMBER

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