

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

O.A No.324/97

Date of order: 24.8.2000

Sohan Lal Panwar, S/o CS Panwar, R/o House No.414/33, Pal Bechana,
Ajmer, employed as Helper Khalasi under Dy.CME(Carriage) Ajmer.

...Applicant.

Vs.

1. Union of India through the General Manager, W.Railway, Church Gate, Mumbai.
2. Deputy Chief Mechanical Manager (C), Ajmer Divn, Ajmer.

...Respondents.

Mr.Shiv Kumar - Counsel for applicant.

Mr.Manish Bhandari - Counsel for respondents.

CORAM:

Hon'ble Mr.S.K.Agarwal, Judicial Member

Hon'ble Mr.N.P.Nawani, Administrative Member

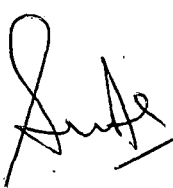
PER HON'BLE MR.S.K.AGARWAL, JUDICIAL MEMBER.

In this Original Application under Sec.19 of the Administrative Tribunals Act, 19085, the applicant makes a prayer to declare the applicant eligible for the selection on the post of Mechanical Apprentice and to direct the respondents to consider the applicant for promotion with all consequential benefits.

2. In the reply the respondents have stated that the applicant was not eligible for the post of Apprentice Mechanic (Artisan). It is further stated that the Apprentice Mechanic is a selection post and for eligibility, the candidate is required to be in the skilled grade which starts from 950-1500 and such candidate should be below 45 years of age as per paras 140 and 159 of the IREM. Therefore, the applicant has no case and this O.A is devoid of any merit and the same is liable to be dismissed.

3. Heard the learned counsel for the parties and also perused the whole record.

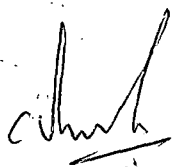
4. On a perusal of Annx.R1 it becomes abundantly clear that for the



selection of Apprentice Mechanic, the candidate must be in skilled grade and he should be below 45 years of age. We have also perused the provisions given in para 159 of the IREM and according to this, the Skilled Grade III starts from the pay scale 950-1500. Admittedly, the applicant was not working in the grade Rs.950-1500 but he was working in the pay scale Rs.800-1150. Therefore, we are of the considered opinion that the applicant was not eligible for selection on the post of Apprentice Mechanic.

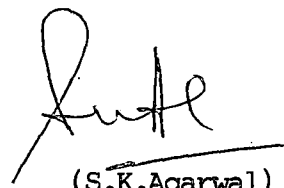
5. In view of the facts discussed as above the applicant has no case for interference by this Tribunal.

6. We, therefore, dismiss the O.A as having no merit. No order as to costs.



(N.P. Nawani)

Member (A).



(S.K. Agarwal)

Member (J).