

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR

O.A.No.381/97

Date of order: 27/3/2002

1. Vijay Kumar, S/o Dinanath, R/o 4/1. MES Colony, Nasirabad, Distt.Ajmer.
2. Mohamed Hussain, S/o Sh.Fate Mohamed, R/o 96/1, MES Colony, Nasirabad, Distt.Ajmer.

...Applicants.

Vs.

1. Union of India through Secretary, Mini.of Defence, New Delhi.
2. Engineer-in-Chief, Army Headquarters, Kashmir House, New Delhi.
3. Chief Engineer, Southern Command, Pune.
4. Chief Engineer, Jaipur Zone, Power House Road, Bani Park, Jaipur.
5. Garrison Engineer (MES) Nasirabad.

...Respondents.

Mr.Balvender Singh : Counsel for applicants

Mr.S.M.Khan : Counsel for respondents.

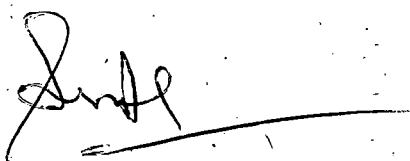
CORAM:

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

Hon'ble Mr.A.P.Nagrath, Administrative Member.

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

In this O.A filed under Sec.19 of the ATs Act, 1985, the relief sought by the applicants is (i) to quash the order dated 11.7.97 by which juniors to the applicants were called for trade test to the post of HS Grade I and (ii) to direct the respondents to consider the candidature of the applicant provisionally for the purpose of appearing in the Trade Test to the post of HS Gr.I as the applicants are eligible to appear in the trade test for the aforesaid post.



2. Reply and rejoinder have been filed which are on record.

3. The learned counsel for the applicants has admitted the fact that the applicants filed O.A No.422/95, Vijay Kumar & Anr. Vs. UOI & Ors, which was dismissed by this Tribunal in which the prayer of the applicants was for promotion without compelling them to pass the trade test.

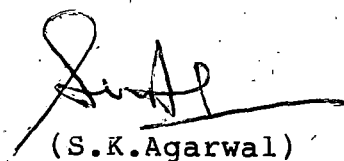
4. The learned counsel for the respondents submitted at the time of arguments that similar O.A No.538/95, Ram Niwas & Anr. Vs. UOI & Ors and O.A No.356/95 Akhilesh Kumar Soni & Anr. Vs. UOI & Ors, have already been decided by this Tribunal and the case of the applicants is squarely covered by those decisions, therefore, in view of these decisions, the applicants are having no case for interference by this Tribunal.

5. We have perused the copy of order passed in O.A No.538/95 Ram Niwas & Anr. Vs. UOI & Ors decided on 25.5.2001 and O.A No.356/95 Akhilesh Kumar Soni & Anr. Vs. UOI & Ors, decided on 17.8.2001. In view of the orders passed in the aforesaid O.As, the applicants are having no case for interference by this Tribunal and this O.A devoid of any merit is liable to be dismissed.

6. We, therefore, dismiss this O.A having no merits with no order as to costs.


(A.P.Nagrath)

Member (A)


(S.K.Agarwal)

Member (J).