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CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH,
JABALPUR

Original Application No. 40 of 2005

Jabalpur, this the 26th day of September, 2005

Hon'ble Shri M.P. Singh, Vice Chairman
Hon'ble Shri Madan Mohan, Judicial Member

Dinesh Kumar Kewat,
Aged about 25 years, Son of
Late Shri Uttam Singh, Resident of
Village Bilpura, Tahsil and District
Jabalpur, MP. Applicant

(By Advocate – None)

V e r s u s

1. The Union of India, through the Chairman, Railway Board, New Delhi.
2. The Railway Board, New Delhi.
3. Railway Recruitment Board, Divisional Office Compound, Mumbai 400 008, Through its Secretary.
4. Secretary, State Board of Examination, State Council of Industrial Training, Jabalpur, MP.
5. State Council for Vocational Training, Department of Technical Education & Training, Through its Director, Civic Centre, Marhatal, Jabalpur, District Jabalpur, MP.
6. Director, Training, 9, Civic Centre, Jabalpur, District Jabalpur, MP.
7. National Council for Vocational Training, through Director, Employment and Training, Government of India, New Delhi.
8. Regional Director of Apprenticeship

Training, RDAT, Kanpur, UP.

.... Respondents

(By Advocate – Shri M.N. Banerjee)

O R D E R (Oral)

By M.P. Singh, Vice Chairman –

By filing this Original Application the applicant has claimed the following main reliefs :

“(i) to declare that the certificate of ITI issued by the State Board in favour of the applicant is competent and has the force of law and the respondents’ action in rejecting his candidature is bad in law and they be further directed to accept, the same for purposes of his appointment as Technician Gr.III (Fitter),

(ii) to direct the respondents 1 to 3 to issue appointment order in favour of the applicant to the post of Technician Gr.III (Fitter) accepting the certificate issued to him by the State Board and recognized by the NCVT and produced by him on 17.12.2004 before the respondent Railway Recruitment Board.”

2. The brief facts of the case are that the applicant has applied for the post of Technician Grade-III. He has participated in the selection and was declared successful in the interview and was called for verification of the certificate on 17th December, 2004. According to the applicant his candidature was turned down on the ground that the applicant does not hold the certificate issued by the National Council of Vocational Training in the trade of fitter. The applicant has also appeared in another selection for the post of Technician Grade-III which was held in pursuance of the advertisement issued by the Railway Recruitment Board dated 24/30th April, 2004. No order rejecting his candidature has yet been issued. Hence, this Original Application is filed.

3. The learned counsel for the respondents submitted that the applicant has been provisionally selected for appointment on the said posts. His name has been included in the panel and his name has been sent



to the Zonal Railway for appointment on 18.1.2005 and 11th March, 2005 respectively, as he has qualified in two selections.

4. None is present for the applicant. We invoke the provisions of Rule 15 of CAT (Procedure) Rules, 1987. Heard the learned counsel for the respondents.

5. The learned counsel for the respondents submitted that the candidature of the applicant has not been cancelled for the posts of Technician Grade-III. In fact the applicant has participated in the selection for the post of Technician Grade-III on two different occasions conducted by the Railway Recruitment Board, Mumbai and he has qualified both the selections and his name is included in the panel. His name has also been sent to the concerned Zonal Railway for appointment. According to the learned counsel for the respondents the applicant shall be informed by the concerned Zonal Railway authorities. Thus, according to him now this OA has become infructuous as the applicant has already been selected for the posts of Technician Grade-III.

6. In view of the facts mentioned above and also the submissions made by the learned counsel for the respondents, the present Original Application has become infructuous and is accordingly dismissed as infructuous. No costs.

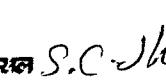
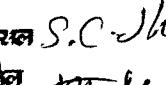

(Madan Mohan)
 Judicial Member

"SA"


(M.P. Singh)
 Vice Chairman

प्राप्तकर्ज सं. ओ/न्या.....जवलपुर, दि.....
 परिविलिपि दारा: दिना:—
 (1) सरपिल, जल. नाम:..... दूरभास, जवलपुर
 (2) अस्त्रेल नाम:..... दूरभास
 (3) परवर्ती नाम:..... दूरभास
 (4) दरवासा, दोस्रा, जल. नाम:.....
 सूचना एवं आवश्यक कार्यालय:.....


 30/9/05

 S.C. Jha M.R.O.
 M.N. Bawali M.R.O.
 T.S. Jha M.R.O.