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Central Administrative Tribunal  
Jabalpur Bench

OA No.211/05

&

OA No.112/05

Jabalpur, this the 21<sup>st</sup> day of July 2006.

CORAM

Hon'ble Dr.G.C.Srivastava, Vice Chairman

Hon'ble Mr.A.K.Gaur, Judicial Member

OA No.112/05

N.S.Rajput

S/o Shri Ajab Singh Rajput

Junior Engineer (CPWD)

Presently posted at Central

Electric Sub Division

Neemuch and

Divisional Office Indore (M.P.)

Applicant

(By advocate Shri K.S.Rajput)

Versus

1. Union of India through the  
Secretary  
Ministry of Urban Development  
New Delhi.

2. Director General of Works  
CPWD, Nirman Bhawan  
New Delhi.

3. Additional Director General  
Chief Engineer (Training)  
CPWD, Nirman Bhawan  
New Delhi.

Respondents

(By advocate Shri S.K.Mishra)

OA No.211/05

O.P.Mishra

Son of Shri Ghanshyam Das Mishra

Presently posted at Central Electric

Sub Division-I

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Gwalior and Divisional Office  
Gwalior Central Electrical Division  
Gwalior (M.P.)

Applicant

(Advocate Shri K.S.Rajput)

Versus

1. Union of India through the  
Secretary  
Ministry of Urban Development  
New Delhi.
2. Director General of Works  
CPWD, Nirman Bhawan  
New Delhi.
3. Additional Director General  
Chief Engineer (Training)  
CPWD, Nirman Bhawan  
New Delhi.

Respondents

(By advocate Shri S.K.Mishra)

### ORDER

By A.K.Gaur, Judicial Member

Since the facts are identical and the dispute is same, both the Original Applications are disposed of by this common order:

2. Applicants in both cases have sought issue of a direction to the respondents to produce the record relating to the examination of the year 1999 and a further direction to them to clarify the marks obtained by the applicants separately in the written examination as well as evaluation of annual confidential reports and if the applicants are found fit on the basis of the evaluation of the marks, to direct them to promote the applicants to the post of Assistant Engineer.
3. The grievance of the applicants is that they have not been awarded any marks in the evaluation of ACR. The applicants who were appointed as Junior Engineer in 1993 appeared in the Departmental Competitive Examination conducted by the respondents in the year 1999 for promotion to the post of Assistant Engineer. According to the applicants, the examination consisted of two parts –  
(i) written examination which consisted of two papers carrying 300

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4. In order to resolve the controversy, The Tribunal vide its order dated 25.4.2006 directed the respondents to produce the records. Today Shri S.K.Mishra, learned additional standing counsel, produced the mark sheets of the Limited Departmental Competitive Examination for the post of Assistant Engineer, before us, and we have seen that the marks have been awarded on two counts (i) written examination i.e. M1 & M2 and (ii) ACR. Hence there is no basis for the allegation of the applicants that the marks were awarded ~~on~~<sup>in</sup> the written part only. In our considered view, there is no merit in the original applications. Accordingly, the original applications are dismissed. No costs.

(Dr. G.C. Srivastava)  
Vice Chairman

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K.S. Ravi Prasad } D2  
S.K. Mishra } D2  
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