

CENTRAL ADMINISTRATIVE TRIBUNAL
JABALPUR BENCH
JABALPUR

O.A.No. 756/2002

Jabalpur this the 13th Day of November, 2003

HON'BLE SHRI SARWESHWAR JHA, MEMBER (A)
HON'BLE SHRI BHARAT BHUSHAN, MEMBER (J)

Anil Kumar Tiwari,
Son of Shri R.P. Tiwari
Pre-Trained Apprentice in
Mill Wright Trade in 29th Batch,
Ordnance Factory, Katni,
R/o Village Juhli, P.O. Juhla,
District Katni (M.P.) ... Applicant

By Advocate : Shri S.D. Gupta, Proxy of
Shri R.L. Gupta, for the
applicant)

Versus

1. Union of India
through Secretary
Ministry of Defence
New Delhi.
2. General Manager,
Ordnance Factory, Katni,
Distt. Katni (M.P.) .. Respondents
(By Advocate: None)

O R D E R (Oral)

By Hon'ble Shri Sarweshwar Jha, Member (A):

Heard the learned counsel for the applicant.

2. It is observed that the applicant had earlier submitted two representations to the respondents seeking appointment to the post of Mill Wright as a Pre-trained Apprentice person (Semi Skilled) on the basis of his having completed three years apprentice training in the Ordnance Factory

Contd...2/-



in the 29th batch. However, he has not received any reply from the respondents so far. He has alleged that the other persons who had been trained along with him in the same batch have already been given appointment to the post of Pre-trained Apprentice (Mill Wright).

3. The respondents have filed their reply and have submitted that the applicant ^{is} yet to fulfill the other formalities necessary for appointment being given to him. They have, ~~not~~ however, not specified what ^{are} these formalities. In the absence ^{of} the requisite details in this regard, it is difficult to find out whether the applicant ~~is~~ is at fault in not forwarding the relevant formalities.

4. The learned counsel for the applicant, however, submits that all the requisite formalities, like, medical examination, verification of antecedents, etc. have fulfilled and there is no formality which is yet to be completed so far as the applicant is concerned.

~~xxxxxxxxxxxxxxxxxxxxxx~~ That being the case, he has submitted that he should have been offered appointment to the said post along with his batch mates.

5. Under the facts and circumstances of the case and also keeping in view the fact that the respondents have not specified the formalities which need to be fulfilled before the appointment to the said post is offered to the applicant,

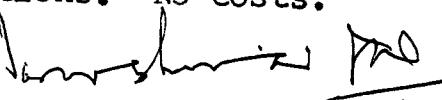
J. Krishnamoorthy

Contd...3/-

and after hearing the learned counsel for the applicant, there being none appearing on behalf of the respondents, we are of the considered opinion that this OA can be disposed of, under the provisions of Rule 16 of the Central Administrative Tribunal (Procedure) Rules, 1987, with directions to the respondents to offer appointment to the post of Pre-trained Apprentice (Mill Wright) (Semi Skilled), ^{to the applicant} if he has otherwise been found suitable and successful and if he has fulfilled the requisite formalities, as submitted by the applicant. The respondents shall ensure that the aforesaid directions shall be complied with within a period of two months from the date of receipt of a copy of this order.

6. With this, this OA stands disposed of in terms of the above directions. No costs.


(BHARAT BHUSHAN)
MEMBER (J)


(SARWESHWAR JHA)
MEMBER (A)

पूर्णकरण रां ओ/व्या.....नवलपुर, दि.....
पुरिलिपि दावी दिन.....

(1) रामेश्वर माधव राम एसी शर्मा, नवलपुर
(2) रामेश्वर माधव राम एसी शर्मा, नवलपुर R.L. Gupta, Adv.
(3) रामेश्वर माधव राम एसी शर्मा, नवलपुर K.N. Pethia, Adv
(4) रामेश्वर माधव राम एसी शर्मा, नवलपुर


सूचना एवं आवश्यक कार्यवाही के
उपर रजिस्टर
17.11.03


Telsac
623
17/11/03