

**THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR
ORDER SHEET**

APPLICATION NO.: _____

Applicant (S)

Respondent (S)

Advocate for Applicant (S)

Advocate for Respondent (S)

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

03.03.2009

OA No. 430/2008

None present for applicant.

Mr. R.G. Gupta, Counsel for respondents.

Heard learned counsel for the respondents.

For the reasons dictated separately, the OA is dismissed.


(B.L. KHATRI)
MEMBER (A)


(M.L. CHAUHAN)
MEMBER (J)

AHQ

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH

Jaipur, this the 03rd day of March, 2009

ORIGINAL APPLICATION NO. 430/2008

CORAM:

HON'BLE MR. M.L. CHAUHAN, JUDICIAL MEMBER
HON'BLE MR. B.L. KHATRI, ADMINISTRATIVE MEMBER

Raj Kumar Meena son of Shri Hari Narain Meena, aged about 40 years, working as a Senior Artisan Khalasi under SSE Loco (Trouble Suiting) Jaipur, resident of Plot No. 9047, New Loco Hasanpura-A, Jaipur.

.....APPLICANT

(By Advocate: None)

VERSUS

1. The General Manager, North Western Railway, Hasanpura Road, Jaipur.
2. The Divisional Railway Manager, Power House Road, North Western Railway, Jaipur.

.....RESPONDENTS

(By Advocate: Mr. R.G. Gupta)

ORDER (ORAL)

In this case, the grievance of the applicant is regarding ~~selection to the post of~~ selection to the post of Diesel Assistant/Assistant Loco Pilot. When the matter was listed on 05.11.2008, this Tribunal granted ex-parte stay on the basis of submission made by the applicant that when original notification for selection for the said posts was issued on 11.01.2007, the applicant was eligible to appear in the written test. However, subsequently after a lapse of one year another notification was issued on 22.10.2008 (Annexure A/1) as such applicant's candidature could not have been rejected on the ground of over age.


U

2. The respondents have filed reply. In the reply, the respondents have categorically stated that applicant is not eligible for the aforesaid posts as the said posts are meant for selection to be conducted amongst the surplus employees being one time exception and since the applicant does not belongs to such category, as such his candidature cannot be considered for selection for the said post. However, the applicant was permitted to appear provisionally in the written test for the post of Diesel Assistant/Assistant Loco Pilot by virtue of ex-parte, stay granted by this Tribunal on 05.11.2008. The respondents were directed to produce the result of the written test of the applicant in order to ascertain whether the applicant has qualified the written test or not. The said result was produced by the learned counsel for the respondents on 20.02.2009, which was kept in sealed cover. It was opened by this Tribunal and it was found that the applicant has obtained 32.5 marks out of 100 marks. As such he could not qualify the written examination.

3. Thus in view of what has been stated above, we are of the view that the applicant is not entitled to any relief and as such, we are not required to go into the question whether such selection is to be conducted from amongst the surplus staff or from other category.

4. With these observations, the OA is disposed of with no order as to costs.


(B.L. KHATRI)
MEMBER (A)


(M.L. CHAUHAN)
MEMBER (J)

AHQ