

**CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH, AHMEDABAD.**

OA No.215/2017 with MA NO. 283/2017

This the 30th day of October, 2018

**Coram : Hon'ble Ms. Archana Nigam, Administrative Member
Hon'ble Shri M.C.Verma, Judicial Member**

Shri Vishnukumar Rameshwarlal Saini
Shri V.R.Saini
Son of Late Shri Rameshwarlal Saini
Residing : Plot No. 49, Ward o.3, Adarash Colony
Bichun Road, Phulera,
District : Jaipur (Rajasthan) -303 338. Applicant

(By Advocate : Shri M.B.Navani)

VERSUS

1. Union of India through
The General Manager
Western Railways, Churchgate
Mumbai 400 020.
2. The Chairman
Railway Recruitment Board
Western Railway, 1st Floor,
Meter Gauge Rly. Station Bldg.
Ahmedabad 380 002.
3. The Jr. Scientific Officer (Psychology)
O/o. the Chief Safety Officer

Central Railways, Chhatrapati Shivaji Terminus
Mumbai 400 001.. Respondents.

(By Advocate : Shir M.J.Patel)

O R D E R – ORAL

Per : Hon'ble Shri M.C.Verma, Member (J)

The grievance of the applicant, as transpires from the OA is that he was wrongly declared unsuccessful in Aptitude Test No.5 conducted by the respondents for the post of Assistant Loco Pilot Exam. He has also pleaded that out of 72 questions, he attempted 44 questions and correctly answered questions were 35 but T.Score (Aptitude Test No.5) shown by the result was 37, though it should be in between 47 to 57. He alleged that minimum qualifying marks were 42 and to declare him unqualified lesser marks were wrongly given. Notice on the OA was issued and reply has been filed by the Respondents.

2. During hearing, issue evolved as to how the T.Score was calculated, and record was summoned and today, Shri Satish Ambhore, Jr. Scientist Officer (Psychology) Central Railway, Mumbai appeared and produced the record before the Tribunal. Certain confidential correspondence was produced before the Tribunal. From the correspondence, it transpires that norms for processing result of Aptitude Tests administered, on/or after 16.2.2015 for recruitment of Assistant Loco Pilot through RRBs have been changed. Admittedly, instant examination took place after 16.2.2015 and therefore new norms had to be applied. Typed copy of letter dated 16.2.2015, disclosed about the change in norms and its attached document show as to how the change has to be applied. The attached document of letter dated 16.2.2015 is only claimed to be confidential. The said letter dated 16.2.2015, without its attachment thus was taken on record

and shown to the counsel for the applicant as well to applicant who was present in court room.

3. It is inquired from the learned counsel whether he wants to say anything further on the subject matter and after going through said letter, learned counsel made submission that the applicant does not want to press the OA now and wants to withdraw the same, with liberty to file fresh OA, if needed in changed circumstances. In view of the said submission, OA stands disposed off as withdrawn. MA No.283/2017 for deleting respondent No.1 also stands disposed off.

(M.C.Verma)
Member (J)

(Archana Nigam)
Member (A)

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