

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

ORIGINAL APPLICATION NO.170/00010/2018

DATED THIS THE 24TH DAY OF OCTOBER, 2018

HON'BLE DR. K.B. SURESH, MEMBER (J)

HON'BLE SHRI DINESH SHARMA, MEMBER (A)

GM.Shivamurthy Swamy,  
S/o Late Mahanthaiah  
Aged about 46 years,  
Working as Technician,  
Diesel Shed, SW Railway,  
Krishnarajapuram,  
Bangalore Division,  
R/o 73/B Railway Quarters,  
Diesel Shed,  
Krishnarajapuram,  
Bangalore – 36

....Applicant

(By Advocate Shri K.Shivakumar)

vs.

1.Union of India,  
Rep. by General Manager,  
South Western Railway,  
Hubli

2.Senior Divisional Personnel Officer,  
SW Railway,Bangalore 23.

....Respondents.

(By Shri N.Amaresh ... Sr.Panel Counsel)

ORDER (ORAL)

DR. K.B. SURESH, MEMBER (J):

1. Heard. The matter relates to a selection. Apparently in the empaneled suitability list applicant finds his name for the post of Junior Engineer (Mechanical). But in the same format it

says that the Selection Committee assessed the suitability on the basis of prior 3 years' ACRs and marks obtained in the written examination, selection would be made. Apparently, applicant participated in the selection process. Therefore, having participated in the selection process, applicant has not come out with any issue malafides in that selection. There is no element of contention that applicant having obtained more marks than the marks obtained by the selected candidates being lower than him he ought to have been selected. Nor there is a contention against ACRs of others in comparison with him. Therefore, having participated in the selection process found himself to be wanting, applicant may not have a case. Therefore, having no merit, OA is dismissed . No order as to costs.

(DINESH SHARMA)  
MEMBER (A)

(DR. K.B. SURESH)  
MEMBER (J)

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**Annexures referred to by the applicant in OA No. 10/2018**

**Annexure-A1:** Copy of notification dated 9.12.16

**Annexure-A2:** Copy of Memorandum dated 31.10.17

**Annexure-A3:** Copy of Memorandum dated 15.12.17

**Annexure-A4:** Copy of order dated 22.12.17

**Annexure-A5:** Copy of comparative statement

**Annexure-A6:** Copy of representation dated 14.12.17

**Annexure-A7:** Copy of representation dated 18.12.17

**Annexures with reply statement:**

Annexure R-1: Copy of letter dated 8.8.2007

Annexure R-2: Copy of Note dated 13.12.2017

Annexure R-3: Copy of letter dated 18.1.2018

