

**CENTRAL ADMINISTRATIVE TRIBUNAL**  
**CIRCUIT SITTING, RANCHI**  
**OA/051/00129/2019**

Date of Order: 11.02.2019

**C O R A M**

**HON'BLE MR. JUSTICE L. NARASIMHA REDDY, CHAIRMAN**  
**HON'BLE MR. JAYESH V. BHAIKARIA, JUDICIAL MEMBER**

Atul Shukla, S/o Ramakant Shukla, aged 26 years, resident of Premkunj Apartment, Flat No. 302, Indrapuri, Road No. 10. P.O.- Keshri Nagar, District- Patna, presently residing at Road No. 2, near S.K. Academy, Dwarkapuri, PO & PS- Chutia, District- Ranchi (Jharkhand).

..... **Applicant.**

[ By Advocate:- Mr. M.A. Khan ]

-Versus-

1. The Union of India through Member Secretary, Railway Recruitment Board, Divisional Office Compound, Western Railway, Mumbai Central, Mumbai- 400008.
2. The Chief Personnel Officer, Central Railway, Mumbai, CSTM- 400008.
3. Divisional Personnel Officer, Divisional Office, Central Railway, Mumbai, CSTM- 400008.

..... **Respondents.**

[By Advocate: Mr. Prabhat Kumar]

**O R D E R**

**Per Justice L. Narasimha Reddy, Chairman:-** The Ministry of Railways issued centralized Employment Notice No. 1/2014 for the post of Assistant Loco Pilot and Technician categories. The applicant applied, and participated in the written examination conducted for the purpose. On the basis of marks secured by him he was selected and he was issued offer of appointment. This was followed by medical test which was stipulated for the purpose of

appointment. Ultimately, the applicant was declared unfit for AYE-ONE. Therefore, he became ineligible for the appointment. The grievance of the applicant is that he was entitled to be considered for the post of Technician, on the basis of marks obtained by him in response to the said Employment Notice. Reference is made to the representation dated 03.10.2018 submitted by him.

2. We heard Shri M.A. Khan, learned counsel for the applicant and Mr. Prabhat Kumar, learned counsel for the respondents.

3. An objection is raised by the learned counsel for the respondents as regards jurisdiction of Circuit Bench of Ranchi. to entertain the OA as the respondents are from Mumbai. However, an unemployed person like the applicant can pursue the remedy in the Bench within whose appropriate jurisdiction he resides.

4. It is no doubt true that the advertisement as well as examination were common for the posts of Assistant Loco Pilot and Technician. However, it is not clear as to whether the candidate has to indicate his option for the post or whether the allotment is made on the basis of marks secured in the examination. The applicant was offered appointment as Assistant Loco Pilot and he did not qualify in the medical test. Therefore, the question of his appointment to that post does not arise.

5. The prayer of the applicant for appropriate alternative appointment, namely, Technician is not clear from the representation dated 03.10.2018 submitted by him. If the applicant makes suitable

representation for this purpose, the respondents would be in a position to address the issue.

6. We, therefore, dispose of this OA leaving it open to the applicant, to make a representation indicating his grievance within a period of four weeks from today. If such a representation is made within the stipulated time, the respondents shall pass appropriate orders within a period of six weeks thereafter and communicate the same to the applicant. There shall be no order as to costs.

**[ Jayesh V. Bhairavia]**  
**Judicial Member**  
**Srk.**

**[L. Narasimha Reddy]**  
**Chairman**