

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.27634 of 2016

ORDER:

Petitioner has been working as Shramik in the third respondent depot. A notification was issued by the second respondent on 05.03.2015 proposing to conduct a Trade Test for the post of Coach Builder (19 vacancies) and some other posts on promotion from the eligible employees, who have completed 2 years of service with ITI qualification and 4 years of service without ITI qualification. Though the petitioner did not possess ITI qualification, as he completed 5 years of service, he was called for the Trade Test by the third respondent vide proceedings, dated 30.04.2016. He attended to the Trade Test on 05.05.2016 and 06.05.2016. He failed in the said test but 14 employees were qualified. He states that he filed an appeal before the second respondent on 27.06.2016. When posting orders are given to the selected candidates, he filed the present Writ Petition.

Though no counter-affidavit is filed on behalf of the respondents, learned Standing Counsel for APSRTC produced

before the Court the record, which shows that the petitioner obtained 28 out of 100 marks and accordingly, he was declared as failed in the Trade Test. The minimum qualifying marks are 40 in respect of OC candidates and 30 in respect of BC, SC, ST and Physically Handicapped candidates. Though the petitioner belongs to ST community, since he did not secure the qualifying marks, he was declared as not selected for the post of Coach Builder. Based on the recommendations made by the Selection Committee, the orders of appointment by way of promotion from the post of Shramik to the post of Coach Builder in Prakasam Division were issued on 03.08.2016 to 13 persons.

In view of the fact that the petitioner did not secure the qualifying marks and was declared as failed in the Trade Test, this Court is of the opinion that no relief can be granted to him. Though it is stated by the petitioner that he filed appeal before the second respondent, challenging selection of candidates, there is no provision for appeal and on this ground also, the Writ Petition should fail.

The Writ Petition is accordingly dismissed at the admission stage.

Consequently, Miscellaneous Petitions, if any pending in this Writ Petition shall stand closed. No order as to costs.

A.RAMALINGESWARA RAO, J

6th SEPTEMBER, 2016.

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