

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

MCA (REVIEW) NO. 1424 OF 2017 IN
WRIT PETITION NO. 183 OF 2017

(Shri Nitin Rajkumar Mashidkar & Anr. vs. The Union of India thr. Secretary, Ministry of
Defence & Ors.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's Orders.

Court's or Judge's orders.

**CORAM : B.P. DHARMADHIKARI &
ARUN D. UPADHYE, JJ.
DECEMBER 15, 2017.**

Heard Shri M.G. Burde, learned counsel for the petitioners and Mrs. Mugdha Chandurkar, learned counsel for respondent Nos. 1 to 3.

2. We find that the contention about not prescribing any bench mark for passing Trade test was not raised before the Central Administrative Tribunal (CAT).

3. The explanation furnished during arguments is, the petitioners were not aware of the reason for not calling them at that juncture. However, review petition was filed before the CAT. When the petitioners were aware of this fact, thereafter they approached this Court in writ petition and in writ petition the only prayer is to direct respondent No. 3 to disclose the marks of Trade test obtained by each of the candidates in order to ascertain as to whether they were qualified or not. Thus, absence of stipulation of bench mark was not questioned and holding of Trade test itself was not made bone of contention.

4. In our order dated 22.09.2017 disposing of writ petition, we have taken note of the fact that passing of

Trade test as also written examination was essential. Written test was held first and thereafter in prescribed ratio, the candidates were subjected to Trade test.

5. The other contention is, Apprentices as also ITI candidates were called for written test and the petitioners got knowledge thereof only after the results were declared.

6. The contentions advanced by the petitioners, when writ petition was argued, are looked into by us and thereafter we have passed the orders dated 22.09.2017.

7. We, therefore, find no case made out for review. MCA is rejected. However, there shall be no order as to costs.

JUDGE

JUDGE

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