

Central Administrative Tribunal
Principal Bench

O.A. No. 603 of 2002.

New Delhi, dated this the *16* April, 2002

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)
HON'BLE MR. SHANKER RAJU, MEMBER (J)

1. Aman Sharma,
R/o Range Headquarter,
Fire Station Hazrat Ganj,
Lucknow-226001.Applicant.
(By Advocate: Shri R.P.Kapoor)

Versus

1. Union of India,
through
Secretary,
Union Public Service Commission,
Dholpur House,
Shahjahan Road,
New Delhi.

2. The Chief Secretary,
Govt. of NCT of Delhi,
IG Stadium,
IP Estate,
New Delhi-2

3. The Principal Secretary (Home),
Govt. of NCT of Delhi,
5, Sham Nath Marg,
New Delhi-54Respondents.
(By Advocate: Shri M.M.Sudan for R-1,
Shri Ram Kawar for R-2, R-3)

ORDER

S.R. ADIGE, VC (A)

In the OA filed n 25.2.2002, applicant seeks a direction to respondents to interview him for the post of Divisional Officer (Fire) Govt. of NCT of Delhi with consequential benefits.

2. Heard.

3. On 14.8.2000 UPSC received a requisition

from GNCT of Delhi for recruitment to one post of Divisional Officer in Delhi Fire Service by direct recruitment. UPSC advertised the post on 28.10.2000, in response to which it received 25 effective applications. After scrutiny 17 candidates were called for interview which was scheduled for 16th and 17th April, 2001.

4. Applicant who was posted at Lucknow was called for interview on 16.4.2001 but he did not appear for the same. He sent a representation dated 17.4.2001 which was received in respondents' office on 19.4.2001 requesting for another chance to form his claim as he could not attend the interview on 16.4.2001 (Annexure R-I) having had to rush to his home town owing to the sudden seizure of his father. He then sent another representation on 18.4.2001 (Annexure R-II) requesting for another interview date owing to his father's sudden heart-attack on the night of 17th April, 2001 as well as the fact that he had to undergo a long and busy schedule as a result of PM's visit to Lucknow on 15th April which resulted in his contacting gastroenteritis and his consequent hospitalisation. Applicant enclosed with his aforesaid representation a discharge summary from Aliganj Hospital, Lucknow (Annexure R-III) which shows him to have been in hospital from 15th to 17th April, 2001.

5. If indeed applicant's contention is

correct that he could not participate in the interview on 16.4.2001 in UPSC office Delhi, because till midnight of 15th April, 2001 he could not be spared from Lucknow owing to PM's visit, no materials have been shown to us on his behalf to establish that he moved the authorities who had detained him in Lucknow to forward his request to UPSC. Applicant has also not satisfactorily explained the contradiction between his letter dated 17.4.2001 in which he stated to suddenly proceed to his home town to be with his father who suddenly fell ill and the discharge summary which shows him to have been hospitalised from 15th to 17th April, 2001. Above all no satisfactory explanation is forthcoming as to why applicant waited from 16.4.2001 to 25.2.2002, i.e. nearly 10 months before approaching the Tribunal. Applicant's counsel contends that applicant was being assured all along that his case was being considered, which dissuaded him from approaching the Tribunal earlier, but this case hardly be termed as a satisfactory explanation.

6. This interview for the aforesaid post was completed long back, and the OA warrants no interference. It is dismissed. No costs.

S. Raju
(Shanker Raju)

Member (J)

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(S.R. Adige)
Vice Chairman (A)