

**Central Administrative Tribunal
Principal Bench**

**OA No.607/2020
MA No.794/2020**

New Delhi, this the 2nd day of March, 2020

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. A. K. Bishnoi, Member (A)**

1. Rahul Kumar
Group 'B',
DOB 09/04/1989
Age 31 years,
S/o Sri Hari Shankar Prasad
24/2, 3rd Floor,
Indira Vikas Colony,
New Delhi 110 009.

2. Sunil Kumar
Group 'B'
S/o Sri Subhash Tripathi
DOB 22/03/87,
Age 33 years
R/o F-4/172-173
Sec.6, Rohini,
Delhi 110 089.

3. Rajbeer Srivastava
Group 'B'
S/o Jaiprakash Srivastava
DOB 15/07/87,
Age 33 years
R/o Vill Post-EK Dangi
Basti District,
Uttar Pradesh 272178.

4. Sangya Supatra
Group 'B'
D/o Harindra Himkar
DOB 18/07/87,
Age 33 years,
R/o Professors Colony,



Raxaul, E. Champaram,
Bihar 845305.

5. Kishor Bharwani
Group 'B'
S/o Sobhamal Bharwani
DOB 10/10/84,
Age 36 years,
R/o 1-D-115, JNV Colony,
Bikaner, Rajasthan 334001.
6. Harsh Katara
Group 'B'
S/o S. M. Katara
DOB 3/4/89,
Age 31 years,
R/o Behind Raghuraj School,
Ward No.15, Gharola Maholla,
Shahdol,
Madhya Pradesh 484001.
7. Avatapalli Avinash
Group 'B'
S/o Avatapalli Raghavendra Prasad
DOB 21/07/88,
Age 32 years
R/o House Number 37
Padmawathi Gardens, Vijaywada,
Andhra Pradesh 520007.
8. Suchita Nain
Group 'B'
D/o Sri Dalbir Singh
DOB 11/01/88,
Age 32 years,
R/o3253, Sector 15,
Chandigarh 160015.
9. Bhanu Prakash Yadav
Group 'B'
S/o Harish Chandra Yadav
DOB 20/4/84,
Age 36 years
R/o TR89, Civil Lines, Tonk,



Rajasthan 304001.

10. Jason Joseph,
Group 'B'
S/o K. Joseph
DOB 28/01/86
Age 34 years
9/514, Mundiyamparamba
Kannur District, Kerala 670704.
11. Vaishnavi Popatrao Kanase
Group 'B'
D/o Popatrao Sitaram Kanse
DOB 23/07/84,
Age 36 years
R/o 823, Natkar Wada, Goreram Lane,
Karanja, Nashik,
Maharashtra 422991.
12. Sachin A Patil
Group 'B'
S/o Anandrao Wasudev Patil
DOB 10/11/83,
Age 37 years,
P.O. Kapshi
Shahuwadi, Kolhapur,
Maharashtra 416214.
13. Varalakshmi Sarojini M
Group 'B'
D/o Venkatramaiah Mavuluri
DOB 6/8/82,
Age 38 years,
R/o 8-232, Main Road, Emani Post,
Duggirala Mandal, Guntur,
Andhra Pradesh 522308.
14. Satbir Singh Hora
Group 'B'
S/o Sh. Jasbir Singh Hora
DOB 31.12.1986,
Age 34 years,
R/o A-65-66, First Floor,
Gandhi Vihar,



New Delhi 110 009.

15. Anupam Gaurav
Group 'B'
S/o Sh. Ram Jee Rai
DOB 19.02.1988,
Age 32 years,
R/o A-65-66, First Floor
Gandhi Vihar, New Delhi 110 009.

16. Amit Kumar Jha,
Group 'B'
S/o Sh. Durganand Jha
DOB 25.12.1987, Age 33 years,
R/o H. No.40A, Pocket-1,
Mayur Vihar, Phase-I,
East Delhi 110 091.

17. Aman Preet Singh
Group 'B'
S/o Sh. Iqbal Singh
DOB 14.06.1986
Age 34 years
R/o H. No.28,B/2, Ground Floor,
Jai Sarai,
New Delhi 110 016.

18. Ankit Singh Rathore
Group 'B'
S/o Sh. Ranjeet Singh Rathore
DOB 15.01.1991, Age 29 years,
R/o Ward No.19, Purarna Bass,
Near Pilani Mode, Rajgarh,
Distt. Churu,
Rajasthan 331023.

19. Gaurav Bana
DOB 4.01.1990
Group 'B'
S/o Sukram Pal Singh,
Age 30 years,
R/o Village Chindori Khas
Post Rohta, Distt. Meerut,
UP 250502. ... Applicants.



(Applicant No.1 is present)

Versus

1. Union of India
Through Secretary
Ministry of Personnel, PG and Pensions
North Block,
New Delhi 110 001.

2. UPSC
Through its Chairman
Dholpur House, Shahjahan Road,
New Delhi 110 069. ... Respondents.

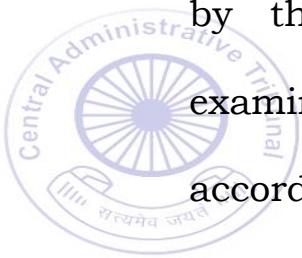
(By Advocate : Shri R. V. Sinha and Mrs. Anupama Bansal)

: O R D E R (ORAL) :

Justice L. Narasimha Reddy, Chairman:

The applicants state that they took part in the Civil Service Examination (CSE) more than once, and on account of uncalled for and arbitrary changes in the pattern of examination, few days before it took place, they were not successful. They have provided the instances of changes in the pattern of examination that had taken place in the years 2013, 2014 and 2015. On this basis, they claim the relief in the form of compensatory appearance in the forthcoming CSE.

2. The 1st applicant argued the case in person. He has elaborated the facts and stated that, the notifications issued



by the UPSC year after year indicate the pattern of examination and syllabus and the students get prepared accordingly. He contends that the UPSC has altered the pattern of examination just few weeks before the date of examination in the year 2013. He submits that similar exercises were undertaken in the next two years and the result was that the hard work, they have put in for preparation of the examination has gone waste and those who attempted almost in a guess work, got the benefit.

3. Shri R. V. Sinha, learned counsel for the respondents, who took notice at the admission stage, raised objection as to the maintainability of the OA. He contends that the examinations were held long ago and the selections were already completed and at this stage, the applicants cannot claim any relief and that too in the form of compensatory attempts.

4. It is stated that the applicants have exhausted all the attempts in the CSE, but were not successful. It is true that there are instances of the UPSC coming forward with the changes in the pattern of examination, just before the date of examination. Such a course would certainly impact the



performance of the students in a competitive examination like CSE. Any change is bound to adversely affect the chances of many. The candidates prepare for the examination, keeping in view the syllabus and the pattern thereof, mentioned in the notification. It needs not only absolute attention but also considerable time. The change of pattern of the examination in the last minute is totally uncalled for.

5. Things would have been different altogether, had the applicants approached when such a change was indicated. Several years have elapsed since those changes have taken place, and the applicants have taken part in the CSE without any demur. They have also exhausted all the attempts. Granting of any relief at this stage, that too, in the form of compensatory attempts, would lead to several complications. Lakhs of candidates who were not successful in those examinations would get opportunity, and that, in turn, would naturally affect the career of those who attempted the examination according to changes. A pell-mell like situation would arise.



6. We do not find any merit in the OA. It is accordingly dismissed.

Order 'Dasti'.

(A. K. Bishnoi)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/pj/