

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

OA 1085/99

with

OA 1086/99

(7)

New Delhi this the 26th day of November, 1999

Hon'ble Shri S.R. Adige, Vice Chairman(A)
Hon'ble Smt. Lakshmi Swaminathan, Member(J)

OA 1085/99

Kapil Dev Singh
S/O Dr. Gopal Chand
138-C/BG-6, Paschim Vihar,
New Delhi-110063

.. Applicant

(None for the applicant)

Versus

1. Union of India
Department of Personnel and
Administrative Reforms
through its Secretary, Loknaya
Bhawan, Khan Market,
New Delhi-11

2. The Union Public Service Commission,
through its Secretary,
Dholpur House, Shahjahan Road,
New Delhi-110011

.. Respondents

(By Advocate Shri R.V. Sinha)

OA 1086/99

Kapil Dev Singh
S/O Dr. Gopal Chand
138 C/BG-6, Paschim Vihar,
New Delhi-110063

.. Applicant

(None for the applicant)

Versus

1. Union of India Department of
Personnel and Administrative Reforms
through its Secretary, Loknaya Bhawan,
Khan Market, New Delhi-11

2. The Union Public Service Service,
through its Secretary, Dholpur House,
Shahjahan Road, New Delhi-11

.. Respondents

(By Advocate Sh. R.V. Sinha)

O R D E R (ORAL)

(Hon'ble Shri S.R. Adige, Vice Chairman (A)

As these two OAS involve similar questions of law and fact

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they are being disposed of by this common order.

2. In OA 1085/99, applicant seeks a direction to reevaluate his answer books in subjects of Civil Engg. and on General Studies for the Civil Services(M) Examination, 1998 and thereafter allow him to be a candidate for the further selection process.

3. In OA 1086/99, applicant prays that he may be treated as a SC candidate, and his answer books be reevaluated on that basis and thereafter he be placed in a proper category and be granted consequential benefits.

4. None appeared for the applicant even on the second call. On the previous date i.e. 22.9.99 an adjournment had been sought for by applicant's proxy counsel and the case was ordered to be listed today on the clear direction that applicant should either argue the case in person or engage a counsel. It was observed that if none appeared for the applicant, it would be presumed that he was not desirous of being heard and the OA would be summarily dismissed.

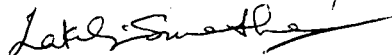
5. We have heard Shri Sinha, who has pointed out that the applicants prayers in both the OAs are not admissible in accordance with rules.

6. In regard to OA 1085/99, Sh. Sinha has stated that reevaluation is not admissible as per rules. It is only rechecking of papers which is admissible under rules and in applicant's case, the same was done and an appropriate reply was also sent to him.

7. In regard to OA 1086/99, we find that in the application form submitted by applicant he had claimed to be a general category candidate and respondents counsel has pointed out that rules do not permit change of caste at a highly belated stage such as this.

8. Under the circumstances, we are unable to grant the reliefs prayed for by applicant and both OAs are dismissed. No costs.

Let a copy of this order be placed in OA 1086/99.


(Smt. Lakshmi Swaminathan)
Member(J)


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