

(50)

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI  
...

OA No. 1708/98

New Delhi, this the 20th day of May, 1999

HON'BLE SHRI T.N. BHAT, MEMBER (J)  
HON'BLE SHRI S.P. BISWAS, MEMBER (A)

In the matter of:

Mrs. Ramwati  
S/o Shri Ram Kishan Bohat  
R/o T29/6, Transit Camp  
Near Sunahari Masjid  
Red fort, Delhi-6.  
(By Advocate: Sh. R.K.Shukla)

.... Applicant

Vs.

Govt. of NCT of Delhi through

1. Chief Secretary  
General Admn. Department  
5, Shamnath Marg,  
Delhi-54.

2. The Director of Education  
Department of Education  
Old Secretariat  
5, Shamnath Marg,  
Delhi-54.

.... Respondents

(By Advocate: Sh. Bhaskar Bhardwaj proxy for  
Sh. Arun Bhardwaj)

J U D G M E N T

By Hon'ble Shri T.N.Bhat, Member (J)

We have heard the learned counsel for applicant  
and the learned proxy counsel for respondents.

2. The applicant, who had applied for the post of Ayah in the Department of Education has filed this OA assailing the action of the respondents in not calling her to the interview. She, accordingly, seeks the following relief:-

- (i) Direct R-2 to call the applicant for interview for the post of Ayah

*[Signature]*  
20.5.99

(ii) Call for the list of eligible candidates which have been sponsored through the Employment Exchange

(iii) Direct respondents to cancel the interview that took place from 20 to 23.8.98 and further interview may be held as per the list sponsored by the Employment Exchange

(iv) Direct R-2 to give clarification to the letter issued by SREO in which the position of the applicant has been shown as Sl. No.63 and what she was not called for interview

(v) Pass any other order/direction as deemed fit in the facts and circumstances of the case.

3. The respondents have filed a detailed counter to which they have annexed the copies of the records showing that call letter had been issued to the applicant and was sent by post at the address given by her to the Employment Exchange.

4. We have heard the learned counsel for the parties. The learned counsel for applicant, relying upon the copy of a document issued by the Sub-Regional Employment Officer concerned wherein the applicant's name is shown at Sl. No.63 and the detailed address of the applicant is also mentioned, strenuously urged before us that the applicant did not receive any call letter either by hand or by post though she had clearly mentioned her address in Annexure A-1.

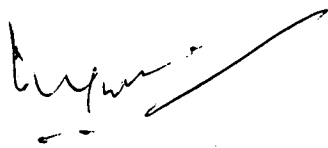
*Signature*

5. We have perused not only the documents as at Annexures A-1 and A-2 to the counter but also the original records of the respondents and we find that the applicant's name is mentioned in both the aforesaid documents at Sl. No.60. There is sufficient proof of the fact that a call letter had gone to the applicant on the address given on those documents. We further notice that there is no material difference between the address given in Annexure A-1 to the OA and the Annexures 1 and 2 to the counter. There is nothing to doubt the correctness of the respondents' assertion that they had actually despatched the call letter by post on the address given in Annexure 1 & 2 to the counter.

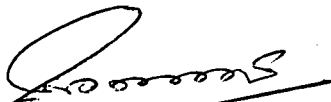
6. However, the learned counsel for the applicant has further urged before us that the serial number of the applicant given in Annexure 1 & 2 is at 60 while in the document at Annexure A-1 to the OA shows the serial number 63.

7. In reply, the learned proxy counsel for the respondents has stated that although initially the Sl. No. of the applicant might have been 63 but after excluding certain candidates the applicant's Sl. No. was shown as 60. We are convinced that the mere change in Sl. No. of the applicant would not go to show that the call letter was not issued to the applicant.

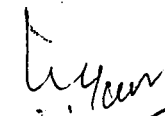
8. We do not find any ground to issue directions to the respondents in this matter. We find that this OA is devoid of merit.



9. In the result the OA is dismissed but without any order as to costs.

  
( S.P. BISWAS )  
Member (A)

'sd'

  
( T.N. BHAT )  
Member (J) 20.5.99.