

CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

O A No. 1220/95

New Delhi: this the /4th day of February, 2000.

HON'BLE MR. S. R. ADIGE, VICE CHAIRMAN (A).

HON'BLE MR. KULDIP SINGH, MEMBER (J)

Shri Sunil Dutt,
S/o Shri Shiv Charan,
R/o House No. 334,
Vill. & P.O. Siraspur,
Delhi-42

..... Applicant.

(By Advocate: Shri G. D. Gupta)

Versus

Staff Selection Commission
through

its Chairman,
Govt. of India,
Ministry of Personnel,
Public Grievances and Pensions,
Deptt. of Personnel & Training,
Block No. 12,

Kendriya Karyalaya Parishad,
Lodi Road,
New Delhi - 3.

..... Respondent.

(By Advocate: Shri M. K. Gupta)

ORDER

HON'BLE MR. S. R. ADIGE

Applicant challenges respondents' action in not calling him for the physical test and interview consequent to the written test held for the post of Sub-Inspector in Delhi Police.

2. The Staff Selection Commission issued a Notice which appeared in Employment News dated 5-11 March, 1994 (Annexure-A1) intimating that it would hold a combined competitive exam. on 3.7.94 for posts of Sub-Inspector (Ex.) in Delhi Police and certain other categories, and invited applications in the prescribed form for the same. Provision 14(vi) of the notice warned candidates against resorting to irregular or improper means in connection with the examination. Further Note 3 in Provision 23 of the notice containing instructions how

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to apply makes it clear that a candidate should submit only one application, and any infringement of this instruction would invite penal action by the commission.

3. As per applicant's own averments in para 4.3 of his OA he applied in the prescribed form. In para 4.4 of the OA it is ~~contended~~ that when he was going to post the said application form, it somehow got lost on the way, upon which he filled up another application form which he personally submitted in the SSC Office on 4.4.94 .

4. Respondents have pointed out in their reply that applicant's candidature was rejected in terms of aforesaid provision 14(vi) read with Note 3 for submitting 2 applications for admission to the aforesaid exam., and securing two Roll Numbers issued in his favour.

5. During hearing applicant's counsel Shri G.D. Gupta sought to persuade us to ^{accept,} ~~take~~ the view that some good samaritan found the first application form, and without informing applicant despatched it to SSC Office and hence applicant was not aware that his first application form had already reached the SSC Office when he submitted the 2nd application form.

6. This story strains our credulity and we are unable to believe it, if only for the ^{reason,} ~~fact~~ that if it had indeed been true, applicant would have informed the SSC Office of the misplacement of the first application form, when he went to deposit the second one.

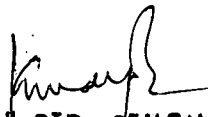
7. We have no reason to doubt that applicant wilfully and deliberately submitted two application forms for the aforesaid recruitment, and under the circumstance if respondents cancelled his candidature in the background

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of aforesaid Provision 14(vi) read with Note 3, they cannot be said to have acted illegally, arbitrarily or improperly.

8. The OA is dismissed. No costs.


(KUL DIP SINGH)
MEMBER(J)


(S.R. ADIGE)
VICE CHAIRMAN(A).

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