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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

O.A. No. 1523/95

New Delhi this the 19th day of November 1996

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

Hon'ble Dr. A.Vedavalli, Member(J)

Shri Virender Singh Panwar,  
S/o Shri Azad Singh Panwar,  
Village and Post-Tharu,  
Distt. Sonapat-131001  
Haryana

(By Advocate: Shri S.S.Mor)

.....Applicant

Versus

1. Staff Selection Commission through  
Regional Director (NR) Block No.12,  
CGO-Complex, Lodhi Road,  
New Delhi-110003.

2. Commissioner of Police,  
Police Headquarters, I.Estates,  
New Delhi.

3. Commandant,  
1st Battalion, Delhi Armed Police,  
New Police Lines,  
Delhi-110009

.....Respondents

(By Advocate: Shri Arun Bhardwaj)

ORDER (Oral)

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

Heard.

2. The reason why the applicant was not called for the vision test and interview for the post of Sub-Inspector of Police, according to the respondents is because he was not able to complete the prescribed 1500 meters race within the qualifying time of 6.5 minutes. This assertion is denied by the applicant who contends that he completed the race in the qualifying time.

3. The respondents have admitted in their reply that the signature of the applicant who was thus disqualified was not taken on the prescribed proforma. They say that they did not take the applicant's signature because he

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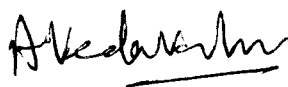
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site  
left the / although during hearing of the case  
this was denied by applicant's counsel, and it was also  
asserted that the applicant was not allowed access to  
the higher authorities (who visited the site later  
that day), to lodge his complaint.

4. In view of the respondents' own admission that  
they did not secure the applicant's signature on the  
prescribed proforma, and in<sup>the</sup> absence of any record to  
show the actual time in which the applicant completed  
the race, the chance of ambiguity as to whether the  
applicant did or did not complete the race in the  
qualifying time cannot be wholly ruled out. In the  
interest of justice therefore, and having regard to  
the facts and circumstances of this particular case,  
which will not be treated as a precedent, we direct  
the respondents to hold the 1500 meters race for  
the applicant again within four weeks from the date  
of receipt of a copy of this judgement and in the  
event that he completes the same within the qualifying  
time of 6.5 minutes, allow him to appear in the vision  
test and take further consequential action in accordance  
with the extant rules and instructions on the subject  
in this regard.

5. In this connection respondent's counsel  
Shri Shardwaj states that the applicant's counsel  
will be informed well in time of the precise date on  
which the race is to be held.

6. The CM is disposed of in terms of the directions  
given above. No costs.

  
(K. R. VEDAVALLI)  
Member (J)

  
(S. R. ADIGE)  
Member (A)