

(JG)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

...

OA.No.1647 of 1995

Dated New Delhi, the 17th day of January, 1997.

HON'BLE MR A. V. HARIDASAN, VICE CHAIRMAN (J)
HON'BLE MR K. MUTHUKUMAR, MEMBER (A)

Constable Prem Veer Singh Rajora
No.11805/DAP, X Battallion
Delhi Armed Police
Police Lines, Pitam Pura
NEW DELHI.

... Applicant

By Advocate: Mr Manisha, proxy
for Mrs Avnish Ahlawat

versus

1. Union of India, through
Government of N.C.T. of Delhi
through Commissioner of Police, Delhi
Police Headquarters
M.S.O. Building, I.P. Estate
NEW DELHI-110 002.
2. Government of India,
Staff Selection Commission
Department of Personnel & Training
Ministry of Personnel, Public Grievances
and Pensions, Block No.12
CGO Complex, Lodi Road
NEW DELHI-110 003. ... Respondents

By Advocate: Shri Rajinder N. Pandita
for respondent No.1 and
Shri V. S. R. Krishna for
respondent No.2.

O R D E R (Oral)

Mr A. V. Haridasan, VC(J)

This application is directed against the order dated 19.7.1995 by which the respondents have cancelled the result of the examination for selection to the post of Sub Inspector in Delhi Police, 1993 so far as it relates to the information given to the applicant that he was declared qualified in departmental category as it had been found that he was not really a departmental candidate. The applicant states that he did not

Contd...2

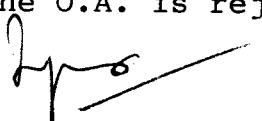
apply as a departmental candidate nor did he claim any benefit of a departmental candidate and that once the respondents have informed the applicant that he had been declared successful in the examination and was entitled to get the offer of appointment, the respondents were not justified in cancelling the result.

2. The respondents contend that in the application form the applicant claimed to be departmental candidate, that therefore he was declared successful treating him a departmental candidate and that as it was later found that he was not entitled to be treated as a departmental candidate, they were justified in cancelling his result.

3. We have heard the learned counsel on either side. We had directed the respondents to make available the panel so as to ascertain whether the applicant could have been qualified as a general candidate. On our direction, the learned counsel for the respondents have produced for our perusal the application form of the applicant, tabulation of the marks obtained by the various candidates including the applicant from which we could ascertain what were the marks obtained by the last general candidate who was selected for appointment. The last general candidate who was selected was

3.

Anant Kumar Gun Roll No.1223037. The total marks obtained by him was 412. The marks obtained by the applicant was only 375. Therefore, it is obvious that the applicant could not qualify as a general candidate (outsider). The application from submitted by the applicant would create an impression that the applicant was a departmental candidate as it was stated that he is working in Delhi Police. But we note that the applicant alone was not responsible for the situation, the department was also equally responsible and it was so stated only because of the wording in the format. In any case, the applicant cannot be considered to be a departmental candidate since he has not obtained the grade to be selected as a general candidate, there is no legitimate grievance of the applicant to be redressed. Therefore, we are of the considered view that no judicial interference is required in the matter. In the result, the O.A. is rejected. No costs.


(K. MUTHUKUMAR)
MEMBER (A)


(A.V. HARIDASAN)
VICE CHAIRMAN

DBC