

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW DELHI

O.A. No.
T.A. No.

1368/96

199

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DATE OF DECISION 20.1.1997

Sh. Alok Kumar Verma

Petitioner

Sh. S. S. Tiwari

Advocate for the Petitioner(s)

Versus

Union of India and ors

Respondent

Sh. E. X. Joseph

Advocate for the Respondent

CORAM

The Hon'ble Mr. s. Lakshmi Swaminathan, Member (J)

The Hon'ble Mr. K. Muthukumar, Member (A)

1. To be referred to the Reporter or not? *yes*

2. Whether it needs to be circulated to other Benches of the Tribunal? *X*

Lakshmi
(smt. Lakshmi Swaminathan)

Member (J)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA.No.1368 of 1996

Dated New Delhi, this 20th day of January, 1997.

HON'BLE MRS LAKSHMI SWAMINATHAN, MEMBER (J)
HON'BLE MR K. MUTHUKUMAR, MEMBER (A)

Alok Kumar Verma
S/o Late Shri Maheswar Prasad
R/o C/o Shri S. P. Verma
House No.E-35, Khyala
DELHI-110018.

... Applicant

By Advocate: Shri S. S. Tiwari

versus

1. Union of India
through the Secretary
Staff Selection Commission
CGO Complex, Block No.12
Lodhi Road Complex
NEW DELHI - 110003.

2. The Regional Director (NR)
Staff Selection Commission
CGO Complex, Block No.12
Lodhi Road Complex
NEW DELHI - 110003.

... Respondents

By Advocate: Shri E. X. Joseph

O R D E R (Oral)

Mrs Lakshmi Swaminathan, M(J)

We have heard the learned counsel for the parties. The application is being disposed of at the admission stage itself by the following observations and directions.

2. The applicant is aggrieved by the action of the respondents in refusing him permission to appear in the interview held on 27.6.1996 for recruitment of Sub-Inspector of Police (Delhi Police & CPO), 1995 on the ground that in the documents he had submitted to the respondents he had not mentioned that he had not completed his

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degree course before the cut-off date of 1.8.1995.

The applicant submits that in pursuance of the notification dated 11.3.1995, he had applied for ¹³the recruitment of Sub-Inspector of Police (Delhi Police & CPO), 1995. According to him, he was successful in the written examination and was called for Physical Test on 23.5.1996. Thereafter he was called for interview on 27.6.1996 as per ¹³the letter dated 3.6.1996. However, he is aggrieved that subsequently respondent No.2 refused to allow him to appear in the interview.

3. In the short reply filed by the respondents, they have submitted that as per the notification of the examination the cut-off date was 1.8.1995 and the applicant was required to show the requisite educational qualification from a recognised University on the cut-off date, i.e. 1.8.1995. The respondents have further submitted that during the scrutiny and verification of the documents submitted by the applicant, which included the Marks Sheet (which is undated) and the Provisional Degree Certificate from the University, the fact was not clear that the applicant possessed the requisite educational qualification as on the cut-off date as prescribed in the notification.

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4. In pursuance of the Tribunal's order dated 28.6.1996, the respondents had allowed the applicant to appear in the aforesaid interview for recruitment to the post of Sub-Inspector of Police (Delhi Police & CPO), 1995 on a provisional basis. Shri S. S. Tiwari, ~~the~~^{an} learned counsel for the applicant has produced the results declared by respondent No.2 in which he submits that the applicant's Roll No. finds a place among the successful candidates, viz. Roll No.1222037 (This document is taken on record). In the circumstances, it is seen that the main relief claimed by the applicant in paragraph-8(a) of the OA has already been granted and the only question here now is one of the consequential reliefs to be granted to the applicant.

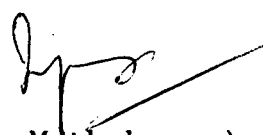
5. The applicant has submitted a Certificate from the Babasaheb Bhimrao Ambedkar Bihar University, Muzaffarpur dated 3.7.1996 which states that the results of the B.A. Eng(H) Examination, 1993 of the University held in the month of November, 1994 was published on 27.6.1995. No doubt, this Certificate has been submitted by the applicant subsequent to his application submitted to the respondents in pursuance to the notification dated 11.3.1995.

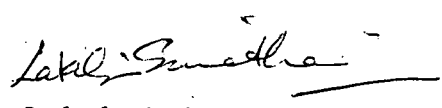
However, in reply to the letter dated 3.6.1996

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of the respondent addressed ¹⁸ ~~addressed~~ to the applicant which had requested him to send the attested copy of the degree certificate before 1.8.1995, the applicant had submitted that he had also sent the certificate showing that the results of the B. A. Examination was published on 27.6.1995. This document clearly shows that the declaration of the results of the relevant examination had been done prior to the cut-off date of 1.8.1995.

6. Taking into account the facts and circumstances of the case, the application is allowed. The respondents are directed to accord to the applicant consequential benefits as a result of his being successful in the aforesaid examination in accordance with the extant rules. The OA is disposed of as above. No order as to costs.


(K. Muthukumar)
Member(A)


(Smt. Lakshmi Swaminathan)
Member(J)

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