

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 07TH DAY OF AUGUST, 2001

Original Application No. 159 of 1996

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI, V.C.

HON.MAJ.GEN.K.K.SRIVASTAVA, MEMBER(A)

Tej Bhan Singh, son of  
Shri Tribhuwan Singh, r/o Village  
and P.O. Sarai Rasi, district  
Faizabad.

... Applicant.

(By Adv: Shri S.K.Mishra)

Versus

1. Union of India through the  
Secretary, Ministry of  
Finance, New Delhi.
2. Collector, Custom & Central Excise  
Allahabad.

... Respondents

(By Adv: Ms.Sadhna Srivastava)

O R D E R(Oral)

JUSTICE R.R.K.TRIVEDI, V.C.

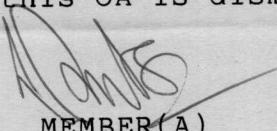
By this OA u/s 19 of A.T.Act 1985 the applicant has  
prayed for quashing of the selection proceedings held in  
pursuance of the advertisement (Annexure 1) and the  
written examination held on 31.5.1995 and the interview  
held on September 1995.

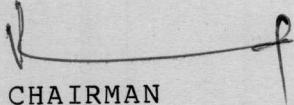
The facts in short are that by the impugned  
advertisement applications were invited for appointment as  
Inspector/UDC and Sepoy. In the advertisement it was  
provided that applicants having excellent sports  
performance in Kabaddi, lawn tennis and atheletics shall be  
given preference. It is not disputed that applicant and  
many others appeared in the written examination held on  
31.5.1995. However, applicant was not called

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interview on account of the fact that he failed in written examination. Learned counsel for the respondents has produced before us the answer books. Applicant Tej Bhan Singh appeared with roll no.17 and could secure ~~the marks~~ <sup>or</sup> only 31 <sup>marks</sup> out of 100 as against 40 pass marks. As against it Mahendra Kumar Pandey and Tahir Malik who have been selected, <sup>and</sup> ~~and~~ they have secured 56 and 41 marks respectively. In interview they further performed better and the total aggregate marks secured were 80 and 70. Thus they were selected. The applicant has questioned the selection and appointment of Mahendra Kumar Pandey on various grounds but Mahendra Kumar has not been impleaded as respondents in the OA.

In the circumstances, no effective relief can be granted to the applicant. Otherwise also on perusal of the record it is clear that he performed better and was rightly selected. We do not find any merit in the OA. Accordingly this OA is dismissed. No order as to costs.

  
MEMBER(A)

  
VICE CHAIRMAN

Dated: 07.8.2001

Uv/