

RESERVED

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD
ADDITIONAL BENCH AT ALLAHABAD

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Allahabad : Dated this 12th day of September, 1996
Original Application No. 896 of 1996

District : Moradabad

Hon'ble Mr. S. Das Gupta, A.M.
CORAM :- Hon'ble Mr. T. L. Verma, J.M.

Girish Kumar Yadav,
Son of Sri Om Prakash Singh,
Resident of Village-Nawrangpur,
Post-Rudayan, Distt-Moradaba.
(By Sri Virendra Singh, Advocate)

..... Applicant

Versus

Union Public Service Commission,
Dholpur House, Shahjahan Road,
New Delhi-110011
(By Sri Satish Chaturvedi, Advocate)

..... Respondents

O R D E R

By Hon'ble Mr. S. Das Gupta, A.M.

~~That~~ the applicant is an aspirant for the Civil Services. He had applied for appearing in the Civil Services (Preliminary Examination), 1996. The examination was to be held on 9-6-1996 but till then he did not receive any admit card although his application was acknowledged by the respondent, Union Public Service Commission (for short UPSC). The applicant approached Incharge of the Examination Centre in Lucknow and was permitted to appear in the examination provisionally. The applicant states

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that he was quite hopeful of being successful in the said examination but was surprised to see that his roll number was not included in the list of successful candidates. On inquiry in the office of the respondents, he found that his form had been rejected ^{due to} failure to fill up Column meant for indicating the centre for examination. He thereupon submitted a representation to the respondents on 13-7-1996 stating therein that the sole purpose of filling the column for centre ^{is} to appear from that particular centre and since he has already appeared from the centre, the purpose for filling the column has been achieved and requested that his result be declared. The respondent, however, has not responded ~~as~~ so far to this representation. Hence, this application seeking the relief ~~of~~ a direction to the respondent to declare the result of the Civil Services (Preliminary) Examination 1996 in respect of the applicant.

2. When the case came up for admission, Sri Satish Chaturvedi, Standing Counsel for the UPSC took notice. He was allowed time to obtain instructions from the respondents and also a photocopy of the application form submitted by the applicant.

3. On the date fixed for hearing, the learned counsel for the respondents showed us the photocopy of the application form submitted by the applicant and also relevant notification issued in the Employment News regarding the Civil Services Examination, 1996. We also heard learned counsel for both the parties and perused the pleadings in the OA.

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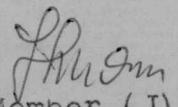
4. It is clear from the photocopy of the application form submitted by the applicant that he had left the column No.5 which requires a candidate to indicate the centre at which he wishes to appear, blank. We have also seen from the notification issued in the Employment News that there is a clear warning given to all the candidates to take due care to fill up the application form and attendance sheet correctly and it has been clearly stipulated that no column of the application should be left blank and that incomplete or defective applications shall be summarily rejected. We cannot find any fault with the respondent in their rejection of the application of the present petitioner, since admittedly he left ~~the~~ column blank. Whether or not the respondents would or should have ignored this omission, cannot be adjudicated by us. It is quite clear that having failed ^a to fill up all the columns of the application form, the applicant has forfeited his right to be admitted to the examination and, therefore, this Tribunal cannot direct the respondents to admit the applicant to the examination by condoning the omission.

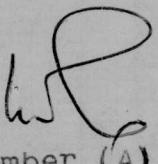
5. The learned counsel for the applicant argued that the rejection of the application form has been without any opportunity given to him. We are aware that several ~~lacks~~ candidates apply for appearing in the Civil Services Examination every year. In case, the UPSC is saddled with the responsibility of entering into ~~the~~ correspondence regarding defective applications their task will increase enormously. We are unable to hold that the principles of natural justice can be successfully invoked in such cases. ~~Denial~~ In the notification itself the candidates have sufficient warning about the consequence of submitting defective

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applications.

6. In view of the foregoing, we find no merit in this application and the same is dismissed at admission stage itself.


Member (J)


Member (A)

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