CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH

OA/020/590/2019

HYDERABAD, this the 5th day of April, 2021

Hon'ble Mr. Ashish Kalia, Judl. Member

1. Betha Girija, D/o. Betha Brahamalingam, OBC,
Aged about 25 years,
R/o. D.No.6-333, Santhapalem, Chinna Gadili
Visakhapatnam, Andhra Pradesh ï 530 040.

2. Chelliboni Chandini, OBC, D/o. Chelliboni Appala Naidu,
Aged about 24 years, R/o. D.No.7-5-34, Chattivanipalem,
Autonagar, Visakhapatnam, Andhra Pradesh 530 026.

3. Madisa Madhavi, D/o. Madisa Tata Rao, OBC,
Aged about 27 years, R/o. D.No.31-51-48,
Yadav Jaggarajupeta, Gajuwaka (Md),
Vsez(Po), Visakhapatnam, Andhra Pradesh ï 530 049.

4. Cheliboyina Ramya, D/o. Cheliboyina Appala Naidu,
OBC (PWD, OH), Aged about 22 years,
R/o. D.No.7-5-34, Chattivanipalem, Autonagar,
Visakhapatnam, Andhra Pradesh 530 026.

5. Kommajosyula Lakshmi Keerthi, UR,
D/o. Kommajosyula Lakshmana Rao,
Aged about 22 years, R/o. D.No.4-53, Kota Narava Colony,
Pendanarava (Post), Pendurthi, Visakhapatnam,
Andhra Pradesh ï 530 027.

...Applicants

(By Advocate : Smt. Anita Swain)

Vs.

1. The Union of India rep. by its
Secretary, Ministry of Defence,
South Block, New Delhi ï 110 011.

2. The Chief of Naval Staff,
Integrated Headquarters of Ministry of Defense (Navy),
South Block, New Delhi ï 110 011.

3. The Flag Officer Commanding in Chief, (For CRC),
Head Quarters, Eastern Naval Command,
Naval Base, 2nd floor, Naval Base,
Visakhapatnam ï 530 014. ... Respondents

(By Advocate: Smt K. Rajitha, Sr. CGSC)

ORAL ORDER
(As per Hon'ble Mr. Ashish Kalia, Judl. Member)

The OA is filed seeking the following relief:

> ñto call for the records of the 3rd respondent and verify the same and declare the action of the respondents not considering the applicant for the post of Dresser and not issuing the call letter/Hall Tickets for written examination which is going to held on 7-7-2019 in spite of applicantôs eligibility but issuing call letters to similar and lesser meritorious candidates is highly illegal arbitrary, discriminative and violation of article 14,16 & 21 of the constitution and apart from violation of principle of natural justice, hence direct the respondent to consider the applicantôs application for the post of Dresser and issue hall tickets for appearing the written examination going to held 07-07-2019 at Visakhapatnam on par with other candidates, otherwise the applicant will face irreparable loss and damage which cannot be compensated by any means and pass such other order or orders as this Honôble Tribunal may deem fit and proper in the circumstances of the case in the interest of justice.ò

2. By virtue of the interim order dated 02.07.2019 passed by this Tribunal, the applicants were allowed to appear in the examination conducted by the respondents.

3. The respondents have filed a detailed reply wherein they have stated that a Notification was issued in Employment News, calling for applications from candidates all over India. On receipt of applications from candidates all over India, scrutiny of applications was carried out by a Board of Officers to finalize the list of provisionally eligible candidates whose applications are complete in all respects as per the requirements notified in the advertisement.

Where the applications received are large in number, the candidates who were found eligible as per age, qualification and applications complete in all respects mentioned in the advertisement, was shortlisted in the ratio of 1:25 for provisional selection of candidates for written examination. The selection of the candidates for written examination is completely based on the details submitted along with applications by the candidates before the closing date for receipt of applications and no further communication with the candidate is entertained regarding eligibility.

4. It is further submitted by the respondents that the Written Examination for provisionally eligible candidates was conducted by a Board of Officers. In accordance with Integrated Headquarters Ministry of Defence (MoD) (Navy) Policy letter for short listing of candidates i.e., DCMPR/1001/POLICY dated 13 May 2015, the candidates qualified in Written Examination are called for Trade Test (qualifying basis) in the ratio of 1:10 as per merit in Written Examination.

5. After completion of Trade Test by Board of Officers, the marks obtained by the candidates in Written Examination and performance in the Trade Test were compiled by another Board of Officers and merit list was drawn on the basis of marks obtained in the order of merit and results of Trade Test. The list of candidates provisionally selected on the basis of merit for issue of offer of appointment was published in Indian Navy website i.e. www.indiannavy.nic.in. It is further stated by the respondents that

they have honoured the order passed by this Tribunal and allowed the applicants to appear in the examination. However, the marks obtained by the applicants in the examination are lower to that of the last candidate selected. The same is shown in tabular form as under:

Applicant No.	Name of the applicant	Category	% of marks	% of marks of last shortlisted candidate	S.No. of last eligible candidate	S.No. of applicant in the merit list of eligible candidates
1st appln.	Betha Girija	OBC	The application of the candidate has been rejected since the essential certificates enclosed to the application were not self-attested which is mandatory as per the advertisement Para 9			
2nd appln	Chelliboni Chandini	OBC	65.5	76	126	297
3rd appln	Madisa Madhavi	OBC	48.33	76	126	
4th appln	Chelliboyina Ramya	OBC (PWD, OH)	46.67	76	25	
5th ppln	Kommajosyula Lakshmi Keerthi	UR	76.67	82	254	372

6. Heard the learned counsel for the parties at length.

7. After hearing the learned counsel for the parties and after perusing the pleadings, this Tribunal finds that there is no point left to be adjudicated in this O.A. Accordingly, the O.A. is disposed of with a direction to the respondents to communicate the marks to the applicants. The applicants are at liberty to take legal recourse, if any. No order as to costs.

(ASHISH KALIA)
JUDICIAL MEMBER

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