

OPEN COURT

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CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

ALLAHABAD

Dated: This the 19th day of Sept'1996

Hon'ble Mr. S. Das Gupta AM  
CORAM : Hon'ble Mr. T. L. Verma JM

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ORIGINAL APPLICATION NO.1574/92

JAGDAMBA PRASAD SRIVASTAVA  
S/o Late Sri Puttu Lal Srivastava  
aged 39 years, Extra Departmental  
Delivery Agent, Resident of P.O.Amapur,  
District : Etah ----- Applicant

C/A Sri K.C.Saxena  
Sri R.K.Tewari

VERSUS

1. Superintendent, Posts Etah.  
2. Chief Postmaster General,  
U.P. Circle, Lucknow-1  
3. Union of India through Secretary,  
Ministry of Communications,  
New Delhi. ----- Respondents

C/R Km. Sadhna Srivastava

ORDER (ORAL)

BY HON'BLE MR. S. DAS GUPTA A.M.

This application was filed seeking  
relief of summoning the answer book of the applicant

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and after verifying the answers, to declare the applicant as successful in the examination with consequential benefits.

2. The applicant's case is that he is an Extra Departmental Delivery Agent in Etah Postal division. He was permitted to appear in the promotional examination for promotion to regular group 'D' post. He was, however, declared failed in that examination, having secured 20 out of 50 marks in 1st paper. The applicant's allegation is that although he had correctly spelt a particular name, which was dictated during the examination, this was assessed as wrong and therefore, no marks were given for this answer.

3. At the time of hearing of this case, learned counsel for the respondents produced for our perusal answer book of the applicant. We find from the answer book that in a particular place, which has been referred to in the O. A. by the applicant has been spelt as 'Bulandshahr'. According to the respondents, this should have been spelt 'Bulandshahar'. Learned counsel for the respondents admitted that they did not have any model answer, but they have taken this particular name from the telephone directory, wherein the name of the place has correctly been spelt.

4. Whatever be the correct spelling of the place, the fact remains that if any mark was given for this answer, the applicant's marks would have gone up by  $2\frac{1}{2}$  taking the total  $22\frac{1}{2}$ . Even this total would not have made him successful in the

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examination as the minimum qualifying mark is 25 out of 50,

Inview of the foregoing, we see no merit in this application and it is dismissed accordingly. Parties shall bear their own costs.

*J. Mervin*  
Member (J)

*W. R.*  
Member (A)

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