

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

O.A. No.448/92

Nahar Singh

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Applicant

Vs.

Union of India &
Others.

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Respondents.

Hon.Mr. Justice U.C.Srivastava, V.C.

Hon.Mr. K. Obayya, A.M.

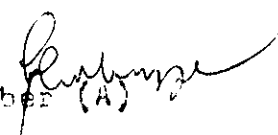
(By Hon.Mr. Justice U.C.Srivastava, V.C.)

The applicant who was fully qualified has applied for one of the vacancies of L.D.Cs which were existing in the office of the Regional Provident Fund Commissioner, Bareilly. A call letter was issued to various candidates including the applicant to appear in the examination. The applicant could not receive the call letter till the date of examination and on the date of examination he approached the authorities but he was not allowed to appear in the examination and that is why he approached the Tribunal praying that the examination held for the post of L.D.C. on 22/3/93 be quashed and a mandamus be issued directing them to hold 'written examination' again allowing him to appear in the said examination. The applicant said that some-other candidates who did not receive the call letter were allowed to appear in the examination, but the applicant was not allowed to appear in the said examination.

2. According to the respondents, the call letter was to be considered as identity card. The candidates who did not possess any documents for establishing their identity were not allowed to appear in the examination by the Examination Committee. The candidates who did not get call letter, but those who have brought some documents to establish their identity only were allowed

to appear in the examination by the Examination Committee. The said candidates who did not get call letter and were allowed to appear in the examination as contended by the applicant have produced identity card or some other documents which established their identity and that is why they were allowed to appear in the examination. The applicant did not produce any documents to establish his identity and that is why he was not allowed to appear in the examination, and there was no option for the Examination Committee. The examination having taken place, according to the respondents, the applicant cannot be examined now. In fact the applicant's application was accepted and call letter was issued to him.

3. In the normal course he should have been allowed to appear in the examination, but for no fault of him he was deprived of the same. The respondents were also right in not allowing the candidates who could not establish their identity by producing some documents. As no one is to suffer because of the mistake committed by the Government Department i.e. including the Postal Department who could not deliver the call letter to the applicant in time, the respondents will allow the applicant to appear in the supplementary examination which will be held as early as possible and ^{in case} he passes the said supplementary examination, he will also be given appointment like others. With these observations the applicant stands disposed of finally. No order as to the costs.

Member (A) 


Vice-Chairman.

Dated: 20th January, 1993, Allahabad.

(tgk)