

Reserved

Central Administrative Tribunal,
Allahabad Bench, Allahabad.

Dated: Allahabad, This The 27th day of April 2000

Coram:

Hon'ble Mr. S. Dayal, A.M.
Hon'ble Mr. Rafiq Uddin, J.M.

Original Application No. 780 of 1992.

Sunil Kumar Pandey
son of Sri S.N. Pandey,
resident of C-15 Old Hostel
Indra Gandhi National Forests Academy,
Dehradun.

. . . Applicant.

Counsel for the Applicant: Sri Arun Tandon, Adv.

Versus

1. Union of India through Ministry of Personnel,
New Delhi.
2. Union Public Service Commission,
Dholpur House Shahjahan Road, New Delhi,
through its Under Secretary.

. . . Respondents.

Counsel for the Respondents: Sri S.C. Tripathi, Adv.

Order (Reserved)

(By Hon'ble Mr. S. Dayal, A.M.)

This application has been filed seeking a direction of quashing of order dated 28.4.92 passed by the respondents by which the application of the applicant for the Civil Services (Preliminary) Examination 1992 was not allowed to be entertained as it was received after the expiry of the last date prescribed for the receipt of the application. A direction was also sought to entertain the

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application of the applicant for Civil Services (Preliminary) Examination 1992 and to permit the applicant to undertake the examination commencing from 7.6.1992.

2. It is admitted fact that the application sent by the applicant for Civil Services (Preliminary) Examination 1992 was received by the Union Public Service Commission on 5.2.92. The applicant has mentioned that he had forwarded his application in response to the advertisement by Registered Post on 30.1.92 through Post Office at Ballia (Rosra). The last date for receipt of application as mentioned in the advertisement was 3.2.92. It is the claim of the applicant that the applicant sent through Registered Post on 30.1.92 should have been received by the respondents on 3.2.92 and that if there was some delay, the delay was the responsibility of Postal Department which was a part of Government of India and not of the applicant. Therefore, the Union Public Service Commission should have entertained the application and allow the applicant to appear at the examination which to commence on 7.6.92.

3. It is quite clear from the facts narrated by the applicant himself that the application was received late in the office of Union Public Service Commission. It was for the applicant to see that the application was sent well in time so that it could be received by the Union Public Service Commission before the last dated which was 3.2.92.

The responsibility for late receipt of the application

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can not be passed on by the applicant to any other agency. The applicant has to suffer the loss due to his own failing and is not entitled to get the relief sought. Relief No.2 in any case has become infructuous. Hence the application is dismissed as lacking in merits. There shall be no order as to costs.

R. T. Judd

Member (J.)

Shaw

Member (A.)

Nafees.