

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH  
ALLAHABAD.

Dated : This the 14th day of NOVEMBER 2002.

Original Application no. 1389 of 1995.

Hon'ble Maj Gen K K Srivastava, Member A  
Hon'ble Mrs Meera Chhibber, Member J

Anjani Kumar Srivastava,  
s/o Shri N.P. Srivastava,  
R/o House no. 387 Mohalla Ballahata  
City Faizabad.

Now - R/o C/o Sri S Singh,  
60 Circular Road Nawada Colony,  
Allahabad.

... Applicant

By Adv : Sri BB Paur, Sri AK Sinha & Sri P Sinha (absent)

**Versus**

1. Union of India, through the Secretary,  
Department of Personnel and Training and  
Ministry of Personnel Public Grievances and  
Pension, New Delhi.
2. Staff Selection Commission,  
(C.R.) 8-A-B Beli Road, Allahabad,  
through its Chairman.
3. Director of Examines, Staff Selection  
Commission (C.R.), 8-A-B Beli Road,  
Allahabad.

... Respondents

By Adv : Sri P Mathur

O R D E R

Hon'ble Mrs. Meera Chhibber, JM.

None for the applicant even the list has been revised. Shri P Mathur learned counsel for the respondents appeared. We could have dismissed the case in default and for non prosecution, but since it is an old matter relating to the year 1995, we disposed of the matter attracting Rule 15 of CAT (Procedure) Rules, 1987 after learned counsel for

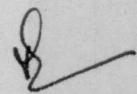
for the respondents Shri P Mathur.

2. The learned counsel for the respondents, Shri P. Mathur, has shown us that even otherwise there is nothing in the case in as much as the only grievance of the applicant in this case is that he was not informed ~~had~~ about the typing test scheduled to be held on 30.8.1993. Accordingly, the applicant has sought direction to the respondents to declare the applicant to have qualified in the clerk grade examination 1992 and give him all the benefits and privileges including emoluments with effect from the date the same became first due to him without holding any further typing test of the applicant. Shri P Mathur, learned counsel for the respondents, has submitted that the applicant had appeared in the ~~clerk~~ <sup>in</sup> Grade Examination/1992 and had qualified in the written part of the examination. Thereafter, it was necessary to pass in the typing test as well for which the intimation was duly sent to the candidates by registered letter dated 4.3.1994, which is evident from annexure CA 2 annexed with counter affidavit, wherein it is specifically stated that the following registered letters have been sent to the candidates mentioned against each on 6.8.1993 from Head Post Office, Allahabad. By <sup>Letter</sup> this ~~order~~ the Assistant Director had requested the Post Master, Head Post Office to investigate and intimate whether the letters have been delivered to the candidates and if so on which date it was delivered may be intimated and otherwise also the fate of the letter may be intimated. The respondents counsel invited our attention to the letter dated 4.4.1995 issued by Senior Post Master, Allahabad and addressed to the Director Staff Selection Commission, Allahabad, wherein it is clearly mentioned that even though it was quite an old ~~case~~ case, but efforts were made to locate disposal of <sup>old</sup> ~~old~~ registered letters. The registered letter no. 572 was delivered

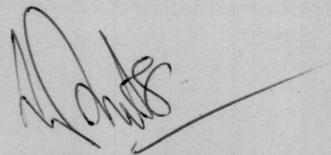
3.

to the addressee on 10.8.1993, but nothing could be known about the others. If CA 1 is read with CA 2, it is clear that the letter was sent to Shri Anjan Kumar Srivastava bearing registration no. 572.

3. Accordingly, we are satisfied that the applicant was indeed given the information about the holding of typing test on 31.8.1993, which was duly delivered on 10.8.1994 itself i.e. well before the date of holding of the examination. Therefore, the grievance of the applicant is totally unsustainable in law. Accordingly, we find no merit in the O.A. and the same is dismissed with no order as to costs.



Member J



Member A

/pc/