

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

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Original Application No. 1274 of 2000

Allahabad this the 21st day of May, 2001

Hon'ble Mr.S. Dayal, Member (A)
Hon'ble Mr.S.K.I. Naqvi, Member (J)

Rajeev Kumar Misra, aged about 30 years, Son of
Sri Umesh Chand Misra, resident of Quarter No.
E-288, Fertilizer Colony, Gorakhpur.

Applicant

By Advocate Shri R.P. Singh

Versus

1. Union of India through the Secretary,
Ministry of Railway, New Delhi.
2. Chairman, Railway Recruitment Board,
N.E. Railway, Gorakhpur.

Respondents

By Advocate Shri Amit Sthalekar

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O R D E R (Oral)

Hon'ble Mr. S. Dayal, Member-A.

This OA has been filed for direction to the respondents to set aside the entire process of selection alongwith result and to set aside letter/Order dated 2.6.2000. A direction has also been sought to the respondents to call the applicant for interview.

2. The case of the applicant is that in response to advertisement dated 24.5.1997, he applied in prescribed proforma on 11.6.1997 with all his testimonials including **showing typing of** typing certificate **with** speed of **41 words per minute.** He appeared in the written test on 29.8.1999 and his roll number did not find place. He made representation before respondent no. 2, when he received no reply he filed O.A. 1366 of 1999 which was disposed of at admission stage directing the respondents to decide the representation dated 12.09.1999.
3. He received a reply, annexed as annexure 7, by which the respondents informed him that since he had not mentioned in his application form regarding typing qualification and not attached any certificate of knowing typing, his application was rejected. The applicant claims that he had submitted typing certificate that is why he was called for written test. He has also alleged **occurrence** of a large number of bungling, malpractices and forgery in the **that** test and persons securing less marks have been called for

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interview. He also alleged that the other candidates who do not know typing and had not submitted any certificate had been called for interview, hence this OA.

4. We have heard Shri RP Singh for the applicant and Shri A. Sthalekar for the respondents.

5. The respondents have denied that the applicant had not submitted any information regarding his knowing typing. They have annexed a copy of his application form in which the annexures are shown against item no. 18. The list of annexures does not contain any certificate of typing. The educational qualification in column no. 12 also does not show that applicant had any qualification in typing. In advertisement it was clearly mentioned against the post advertised on item no. 12 of Junior Accounts Assistant that qualification of 30 word per minute in English or 24 word per minute in Hindi typing was required. The respondents have denied the allegation of bungling and have also denied the allegation regarding selection of candidates not knowing typing. In any case the applicant should have brought any bungling to the notice of the Railway Recruitment Board immediately after appearing in the examination for the post of Junior Account Assistant & if he had any complaint about bungling he should have made representation giving concrete instance of such bungling. He chose not to do so and even in this OA he seeks a direction to the respondents to call him for interview, which indicates that

in his case the process of selection was not vitiated. The instances of bungling, malpractices and forgery have thus remained unsubstantiated.

6. We find that the applicant has not come with clean hands as he has claimed that he had furnished certificate of typing which was not found correct by examining his application as made to the respondents. His unsubstantiated allegations regarding the fairness of selection are also of the same nature.

7. The application is, therefore, dismissed with no order as to costs.

Sac Aragon
Member-J

Hard
Member-A

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