

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad, this the 26th day of September 2002.

QUORUM : HON. MR. S. DAYAL, A.M.
HON. MR. A.K. BHATNAGAR, J.M.

O. A. No. 712 of 2002

Dinesh Chandra Gupta S/O Lalmani Gupta R/O Village Arjunpur,
P.O. Hariharpur, District Mirzapur..... Applicant.

Counsel for the applicant : Sri Rahul Srivastava

Versus

1. Union of India through General Manager, Northern Railway,
Baroda House, New Delhi.
2. Railway Recruitment Board, Nawab Yusuf Road, Allahabad
through its Chairman.
3. Mukhya Karmik Adhikari, Northern Railway, Baroda House,
New Delhi..... Respondents.

Counsel for the respondents : Sri P. Mathur.

ORDER

BY HON. MR. S. DAYAL, A.M.

Sri Mathur was asked to find out in the morning as to why results of 11 candidates were withheld. It has been mentioned that the results of 11 candidates were withheld for pending verification of genuineness of signatures and ^{receipt of} the withheld results shall be notified after expert's opinion regarding all these cases.

2. We have heard Sri Rahul Srivastava and Sri S. Mukherjee for applicant and Sri P. Mathur for respondents.
3. The applicant had appeared in the preliminary examination for the post of Assistant Station Master and thereafter in written examination in which he qualified. He was called for interview on 7.2.02. It is claimed that the entire selection process ^llaked transparency and was full of loop holes. It is stated that the marksheets of successful candidates was not provided which could lead to manipulations. It is also claimed that a defective carbon copy was given to the

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applicant in psychology test in which the answer was not visible in the carbon copy. It is also claimed that six sets of papers of psychology test were given to the applicant. The applicant completed the first set of paper in time but the invigilator started disturbing the applicant while he answered the second set of papers. In the light of these facts, the relief has been claimed for setting aside the result of psychology test published in Amar Ujala on 8.4.02 and a direction to the Respondent No.1 to conduct impartial enquiry. Counsel for the applicant expressed apprehension that since his name did not find place in the result declared in Amar Ujala, he might be one of the 11 candidates whose results were withheld. We had asked counsel for the respondents to know the latest reasons because of which the results were withheld and he has produced a letter, which categorically states that the result of 11 candidates were withheld and would be declared after verifying the genuineness of signatures and would be notified after the expert's opinion, ^{is received.} The applicant does not apprehend any withholding on that count.

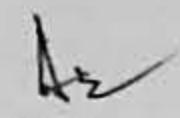
4. Counsel for the applicant stated that since the answer-sheet and its carbon copy were furnished to the applicant and the carbon copy was subsequently detached for being utilised for verification purposes as stated by the respondents in their counter reply, ^{it} is quite possible that the carbon copy, which did not register all the answers of the applicant, was kept in the bag for evaluation of answersheet and the main answersheet was placed along with carbon copies. He requested that the answersheet may be called for from the respondents to verify that this had not taken place. We consider this argument to be purely speculative and do not consider it necessary to call for answersheet on this ground. The colour of original answersheet is red and the carbon copy is yellow in colour, ^{therefore,} these cannot be mistaken for each other.

5. Although the applicant has claimed that he was disturbed during the psychological test and that the carbon copy was defective, he did not choose to file any written complaint

to that effect with the respondents. A representation dated 19.6.02 addressed to the Chairman and Secretary of Railway Recruitment Board seeking re-test as far as psychological test was concerned. ^{I has been shown} This representation has been filed along with rejoinder filed by the applicant and has been filed after filing of the O.A. on 11.6.02. No credence can be placed on such a representation.

6. We, therefore, find no merit in the application, which is dismissed at the stage of admission itself.

There shall be no order as to costs.



J.M.



A.M.

Asthana/
27.9.02