

(RESERVED ON 10.4.2012)

**CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH  
ALLAHABAD**

Allahabad, this the 27 day of April, 2012

**Hon'ble Mr. Sanjeev Kaushik, Member-J  
Hon'ble Ms. Jayati Chandra, Member-A**

**Original Application No.411 of 2006  
(U/s 19 of Administrative Tribunal Act, 1985)**

Lalit Kumar Arun aged about 35 years,  
Son of Mohit Ram, Resident of 250, Kamla Nagar,  
Stanly Road, Allahabad.

..... *Applicant.*

*By Advocate : Shri V. Srivastava*

**VERSUS**

1. Union of India, through its Secretary Ministry of Communication, Department of Post, New Delhi.
2. Post Master General, Gorakhpur Division, District-Gorakhpur.
3. Superintendent of Post Offices, Gorakhpur.

..... *Respondents*

*By Advocate : Shri R.K. Srivastava*

**ORDER**

**DELIVERED BY MR. SANJEEV KAUSHIK, MEMBER-J**

Shri V. Srivastava, learned counsel for the applicant and Shri D. Tiwari holding brief of Shri R.K. Srivastava, learned counsel for the respondents.

11

2. The present original application has been filed seeking direction from this Tribunal to direct the respondents to declare the result of the applicant of S.S. C. Graduate Level of the year 2001.

3. The facts are in brief, the respondents advertised post of Section Officer Auditor in the employment newspaper in 1.06.2001. The applicant being fully eligible appeared in the written examination on 9.9.2001. He was called for interview in the office of Staff Selection Commission on 28.6.2006. It is alleged that the name of the applicant was not published in the select list, hence the OA.

4. Pursuance to notice respondents resisted the claim of the applicant by taking preliminary objection that the original application is filed in 2006 for the declaration of result which was held in the year 2002, therefore, the petition is highly time bared. Secondly that the applicant has not approached this Tribunal with clean hands as the result was declared in the year 2002 itself, therefore, the OA be dismissed. It is averred in para no.10 that the final result of Section Officer Auditor Examination 2001 was published in employment newspaper in September 2002. The name of the applicant could not find place due to his low merit. As per policy of Commission the list of unselected candidate is not published/notified.

5. We have considered the submissions and of the view that the result of the examination of 2001 has already been declared by the respondents in September 2002 employment newspaper and he did not secured marks than

the last candidate to whom the appointment was given. Once the result has already been declared and the prayer is in the present original application to declare the result, therefore, the original application is dismissed having been rendered infructuous. No Costs.

*T. Chander*

Member-A

/ns/

*Naresh*

Member-J