

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH

ORDER SHEET

Application No. OA 332 of 1999

Applicant (s) Suresh Kumar Samal Respondent (s) V.O.I. 628

Advocate for Applicant (s) M/s. K.C. Mishra Advocate for Respondent (s)

H.K. Sahoo

S.P. Mishra

D.N. Swain

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

940 for no 506/120

Mentioned Case

For Regn/Admn Pl.

Bs

15/7/99

Serg

Prasanna

15-7-99

REGISTER

Dy Registrar

Or.No.1 dtd.16.7.99

Seen the petition. Heard the learned counsel Shri K.C.Mishra for the petitioner. After hearing the learned counsel for the petitioner, we feel that this petition has to be rejected at the admission stage. We have also heard Shri D.N.Mishra, learned Standing Counsel appearing for the respondents, on whom a copy of the petition has been served.

The case of the applicant is that he appeared in a written examination for the post of Signal and Telecommunications Post under S.E.Railway. The applicant has stated that according to his assessment he has done well in the written test and he expected to secure more than 45% marks. The Educational Qualification for the post in question is Class-VIII and the applicant has stated that "he is rather more qualified". It is submitted by him that when the result of the written test came out he found that he has not cleared the written test. He has stated that ~~he feels~~ the departmental authorities appears to have undervalued his answer papers in a malafide fashion. He, therefore, prays that his answer papers in the written test which has been wrongly mentioned as answer papers for interview should be called for. We have heard the

NOTES OF THE REGISTRY

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Order dt. 16.7.99

Copy of order with
copy of application
may be sent to all
respondents by regd.
post/A.D. Copy of
order be given to
both the counsels.

learned counsel for the petitioner and also the
learned Standing Counsel Shri D.N.Mishra for the
respondents at length. It is submitted by the
learned counsel for the applicant that 27,000 and
some odd ^{candidates} appeared in the written test. The only
basis for the applicant to make his claim that
his answer papers have been undervalued, ^{is} according
to his assessment he has done well. He has also
not indicated in his petition how he is overqualified,
even if it ~~was~~ submitted by the learned counsel
that the petitioner is a Graduate. Just because he
is a Graduate, it cannot be taken that he has
done well in the written examination. There is no
basis has been ^{made} in the petition alleging
malafide against the departmental authorities. If
we allow an unsuccessful candidate to impugn the
result of the written examination only on his
assessment that he has done well, then ^{this way} ~~this way~~
will be opened for all the unsuccessful candidates
in approaching this Tribunal. In view of this we
hold that the applicant has not been able to make
out a case for any of the relief prayed for by him.
The application is therefore, held to be without
any merit and the same is rejected at the admission
stage itself.

VICE-CHAIRMAN
MEMBER (JUDICIAL)

Factor
S.D. 22.7.99
(J)

22.7.99