

NOTES OF THE REGISTRY

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Order dated 17.01.2003

Heard Mr. B.N. Nayak, learned counsel appearing for the Applicant and Mr. A.K. Bose, learned Senior Standing Counsel.

2. Applicant, already in service in the Central Industrial Security Force, was a candidate for the post of Hindi Translator in the Income Tax Department. He was accordingly issued with call letters/Admit Cards to face the written test and also the viva-voce test. On receipt of the Admit Card to face the written test and the viva- voce test, the Applicant did not take the tests on the ground that a Combined Test was being undertaken for the posts of Junior Hindi Translator and Senior Hindi Translator.

3. This matter was listed on 20.11.2002, on 05.12.2002 and on 16.12.2002 and, finally, it has been listed for admission today; when the learned Senior Standing Counsel (Shri A.K. Bose) has obtained written instructions from the Respondents/from the Department, which goes to show that on 1st October, 2002, the Applicant returned the Admit Card and did not take the test.

4. It appears that the Applicant had a grievance that a combined test ought not to have been taken for both the posts. On our repeated query as to how the Applicant has been prejudiced, the Counsel for the Applicant has miserably failed to give any reply. He has not been able to point out infirmity of any law (neither constitutional nor statutory) in the matter. We are conscious that several recruitment process are taken combinedly for different categories of posts and this has become a practice in the country. The Applicant having miserably failed to put forth grievances for adjudication of this Tribunal, especially when he has surrendered his Admit Card voluntarily on 1.10.2002, we are of the

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view that this Original Application is devoid of any merit.

5. In the above view of the matter, we find no merit in this Original Application; which is accordingly dismissed at the stage of admission, after hearing the learned Counsels of both sides.

6. Since this case is being disposed of at the admission stage itself, no cost is being imposed.

7. Send copies of this order (along with copies of this Original Application) to the Respondents and free copies of this order be made available to the learned Counsels of both sides.

Arora
Vice Chairman 17/1

Johant
17.01.2003
Member (Judicial)