

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

JODHPUR BENCH, JODHPUR

ORDER SHEET

Original APPLICATION NO 271 OF 1999

Applicant(s) Arvind Sharma Respondent(s) 602 & 03
Advocate for Mr. S.K. Malik Advocate for
Applicant(s) Respondent(s)

Notes of the Registry	Order of the Tribunal
<u>22.9.99</u>	Mr. S.K. Malik, counsel for the applicant Register Put up in Court no. admission on <u>24.9.99</u> .. <i>Omkareshwar</i> REGISTRAR C.A.T, JODHPUR
<u>24.9.99</u>	Mr. S.K. Malik, counsel for the applicant. Heard the learned counsel for the applicant. In this OA, the applicant has come with a prayer that the respondents be directed to include the name of the applicant in the panel in order of seniority and accordingly ordered to be promoted. Alternatively, he has prayed that the respondents be directed to produce the result sheets before the Tribunal for the test held by the department. It is argued by the learned counsel for the applicant that the applicant has secured 60 per cent marks in the written test and consequently was called for interview. In interview also he has done fairly well but he has not been empanelled. There seems to be some manipulation in the result of the applicant.

We have considered this aspect. There is nothing on record to show as to how the applicant concludes that he has done fairly well in the viva voce and has secured more than 60 per cent marks in viva-voce. Every candidate appearing in the examination always insists that he has done fairly well in the examination. In our opinion, in such matter if every unsuccessful candidate is allowed to litigate in connection with his result then there will be no end to such litigation. In view of the specific rules, we believe, and the applicant should also believe, that the department has regulated the test impartially and has also accordingly recorded the marks secured by the applicant both in the written examination and the viva voce test. The very fact that the applicant's name has not appeared in panel, we come to the conclusion that the applicant has not done fairly well so as to secure 60 per cent or more marks in the viva-voce to claim empanelment.

In our opinion, the QA has no merits and is, therefore, dismissed in limine.

S
(Gopal Singh)
MEMBER (A)

S
(A. K. Misra)
MEMBER (J)

Part II and III destroyed
in my presence on 16/5/96
under the supervision of
Section Officer () as per
order dated 16/5/96

Section Officer (Record)

Copy of order along
with copy of application
sent to Respondents -
No 1 to S. Virender

No 297 to 301

dt 01-10-99

MoS
30/9/96

Ree

Ans
Adv

29/9/96
(S. Virender)
Adv