

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.430/2002

Wednesday this the 19th day of June, 2002

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN
HON'BLE MR. T.N.T. NAYAR, ADMINISTRATIVE MEMBER

M.K.Vipenchandran,
Maikotteri House
PO.Kakkancherry
Via.Koyilandy,
Kozhikode District
Kerala-673620.

...Applicant

(By Advocate Mrs. M.R.Sreelatha)

V.

1. Union of India, represented by its
Secretary to Government,
Ministry of Personnel & Training,
New Delhi.
2. Staff Selection Commission,
represented by its Chairman,
CGO Complex, Lodhi Road,
New Delhi.
3. Regional Director,
Staff Selection Commission,
Kendriya Sadan, 1st Floor,
EWing, 2nd Block,
Koramangala, Bangalore.

...Respondents

(By Advocate

The application having been heard on 19.6.2002, the
Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

The applicant, an Ex-Serviceman appeared for
an examination conducted by the Staff Selection
Commission for matric level posts. When the result was
published during March, 2002 (Annexure.A3) to the
disappointment of the applicant, the applicant's roll
number did not figure there although according to him he
had done well in the written tests as also in the typing
test. It is stated in the application that while there

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are large number of vacancies to the quota of Ex-Serviceman being 10% of the entire vacancies notified, the number of persons selected against Ex-Serviceman quota is a meagre one and therefore, it is necessary to direct the respondents to fill up the entire 10% quota from among the Ex-Serviceman. With these allegations the applicant has sought the following reliefs;

- (i) to issue a direction to the 2nd respondent to set apart 10% of the total posts in Group 'C' for appointment from Ex-Servicemen and to revise Annexure.A3 list by giving due ranking to the applicant in Annexure.A3 list considering him against the category reserved for Ex-Servicemen;
- (ii) to issue a direction to the 2nd respondent to prepare and publish the list of candidates selected for appointment in Matric Level Examination, 1999 in strict compliance with the principles of reservation prescribed in the Recruitment Rules;
- (iii) to issue a direction to the 3rd respondent to consider and pass appropriate orders on Annexure.A4 representation submitted by the applicant within a stipulated time;
- (iv) to pass such other order or direction as this Hon'ble Tribunal may deem fit in the circumstances of the case.

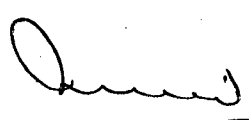
2. We have gone through the application and the annexures appended thereto and have heard Smt. MR Sreelatha, learned counsel of the applicant and the learned counsel appearing for the respondents. The applicant apart from being one of the candidates has no special right to be placed in the select list. Only if he comes to the grading his name will be included in the select list. There is no allegation of any malafides or arbitrariness in the matter of valuation and placement in the select list. Just because as many persons as there are vacancies earmarked for Ex-Serviceman are not

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placed in the panel it cannot be held that the preparation of the list is in any way vitiated. Under these circumstances, in the absence of any reason for interference, we are not inclined to admit this application. Hence the application is rejected under Section 19(3) of the Administrative Tribunals Act, 1985. The rejection of this application would not stand in the way of the third respondent giving a reply to the applicant to his representation (Annexure.A4) on merits.

Dated the 19th day of June, 2002


T.N.T. NAYAR
ADMINISTRATIVE MEMBER


A.V. HARIDASAN
VICE CHAIRMAN

(s)

A P P E N D I X

Applicant's Annexures:

1. A-1 : True copy of the Trade Certificate issued to the applicant by Indian Navy, Station, Mumbai-400088, dated 23 Dec, 1998.
2. A-2 : True copy of the Hall Ticket for the test of Typewriting Test issued by the 3rd respondent to the applicant.
3. A-3 : True copy of the relevant extract of the result of Matric Level (Main) Examination, 1999 published in Employment News 23-29 March, 2002.
4. A-4 : True copy of the representation submitted by the applicant to the 3rd respondent, dated 31.5.2002.

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