

CENTRAL ADMINISTRATIVE TRIBUNAL,
ERNAKULAM BENCH

Original Application No. 467 of 2010

Thursday, this the 3rd day of June, 2010

CORAM:

Hon'ble Mr. Justice K. Thankappan, Judicial Member
Hon'ble Mr. K. George Joseph, Administrative Member

1. U.V. Ghosh, aged 55 years, S/o. O.M. Velayudhan, residing at Uppukandanthil House, Kuriakkad P.O., Chottanikkara, CMII (Welder), Naval Aircraft Yard, Kochi.
2. A.G. Vijayan, aged 54 years, S/o. Gopalan, Residing at Alamattom House, Manjappara, Angamaly, CMII Undesignated, Naval Aircraft Yard, Kochi.

..... **Applicants**

(By Advocate – Mr. Martin G. Thottan)

V e r s u s

1. Flag Officer, Commanding-in-Chief, Southern Naval Command, Naval Base, Kochi-4.
2. Administrative Officer GDE-II, Civilian Administrative Officer, Naval Aircraft Yard, Naval Base, Kochi-4.

..... **Respondents**

(By Advocate – Mr. Rajesh for Mr. Sunil Jacob Jose, SCGSC)

This application having been heard on 03.06.2010, the Tribunal on the same day delivered the following:

ORDER

By Hon'ble Mr. Justice K. Thankappan, Judicial Member -

The applicants appeared for the departmental test for the purpose of promotion to the post of Foreman but when the result was published the applicants were shown and recorded as failed in the examination.



Consequently, they were not qualified in the DQT for Foreman (UD). However, the applicants filed representation for getting the marks they have secured in the written examination. The said representation has been now rejected by Annexure A-3. Aggrieved by Annexure A-3 the applicants have filed this Original Application to quash the Annexure A-3 and to give a direction to the respondents to intimate the marks secured by them in the examination for promotion to the post of Foreman.

2. We have heard the counsel appearing for the applicants Mr. Martin G. Thottan as well as the counsel appearing for the respondents Mr. Rajesh for Mr. Sunil Jacob Jose, SCGSC on getting a copy of the Original Application. The points now raised in this Original Application for consideration are that whether the applicants have secured the qualifying marks for promotion to the post of Foreman or what was the mark lacks for them to be shown as failed. The answer now given as per Annexure A-3 is not justifiable in the light of the fact that an individual candidate is entitled to know the marks which he secured in a written examination. Hence, it is only proper for the respondents to intimate the marks secured by the applicants in the written examination. If so, the Original Application can be allowed at the admission stage itself by directing the respondents to intimate the marks obtained by the applicants within a reasonable time at any rate within 30 days from the date of receipt of a copy of this order.

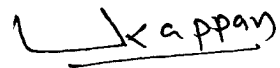
3. Accordingly, the OA is allowed by directing the respondents Nos. 1 & 2 to comply the order passed by this Tribunal within 30 days by giving the



marks obtained by the applicants in the written test. The applicants are directed to produce the copy of this order along with the copy of the Original Application to the respondents for compliance. Ordered accordingly.



(K. GEORGE JOSEPH)
ADMINISTRATIVE MEMBER



(JUSTICE K. THANKAPPAN)
JUDICIAL MEMBER

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