

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.579/05

Tuesday this the 2nd day of August 2005

C O R A M :

**HON'BLE MRS.SATHI NAIR, VICE CHAIRMAN
HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER**

M.N.Suresh,
S/o.Neelakandan Namboodiri,
Kundil Madam, Nandipulam P.O.,
Thrissur Dt.

...Applicant

(By Advocate Mr.P.Shamsudin)

Versus

1. Staff Selection Commission,
1st Floor, E Wing, Kendriya Sadan, Koramangala,
Bangalore represented by its Regional Director.
2. Union of India represented by Secretary,
Department of Personnel & Training,
Ministry of Personnel, Public Grievances & Pensions,
New Delhi.

...Respondents

(By Advocate Mr.T.P.M.Ibrahim Khan, SCGSC)

This application having been heard on 2nd August 2005 the Tribunal on the same day delivered the following :

ORDER

HON'BLE MRS.SATHI NAIR, VICE CHAIRMAN

The applicant in this OA is praying for a direction to the respondents to conduct the selection to the post of Inspector of Customs, Income Tax, Central Excise & Examiner etc. after providing the reservation to ex-servicemen. The contention of the applicant is that the respondents have issued a notification on 25-31 January 2003 (Annexure A-1) inviting applications for Combined Graduate Level (Preliminary) Examination for selection of candidates to these posts in the Employment News, according to the notification, the stipulated percentage for ex-servicemen and other

reservations will apply, that the respondents have revised the categories of post from Group C to Group B and sought fresh preference from the applicant vide Annexure A-5, the final result of the selection has now been published (Annexure A-6) and due to the change in category from Group C to Group B reservation has not been made and thereby the applicant has been prejudiced.

2. We have gone through the application filed by the applicant. The final result of the Combined Graduate Level (Main) Examination 2003 at Annexure A-6 clearly shows that all reservations according to Government orders have been followed including reservation for ex-servicemen. The applicant who appeared in response to the Annexure A-1 notification has not qualified in final examination. The non selection of the applicant must be due to his being nowhere in the merit and not on account of giving a go-by to the reservation. The contention of the applicant has no basis. Having taken part in the examination and failed to come up in the merit list the applicant cannot challenge this selection on any non existent grounds.

3. The OA is, therefore, dismissed. No order as to costs.

(Dated the 2nd day of August 2005)



K.V.SACHIDANANDAN
JUDICIAL MEMBER



SATHI NAIR
VICE CHAIRMAN

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