

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A.No.197/93

Tuesday, this the eleventh day of January, 1994.

SHRI N DHARMADAN, MEMBER(J)
SHRI S KASIPANDIAN, MEMBER(A)

Syrus Varghese,
S/o V Syrus, Aged 32 years,
Lower Division Clerk,
Office of the TDM, Alappuzha.

- Applicant

By Advocate Mr MR Rajendran Nair

Vs.

1. Union of India represented by
Secretary to Government,
Ministry of Communications,
New Delhi.
2. The Chairman,
Telecom Commission, New Delhi.
3. The Chief General Manager,
Telecom, Kerala Circle, Trivandrum. - Respondents

By Advocate Mr S Krishnamoorthy, ACGSC

O R D E R

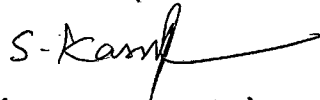
N DHARMADAN, MEMBER(J)

Applicant, who appeared for the departmental examination for promotion as Junior Accounts Officer filed this application under Section 19 of the Administrative Tribunals Act for a declaration that he is entitled to moderation of marks in the examination considering the award of additional marks to candidates in other States. According to the applicant the candidates, who appeared for Paper-X in Part-II from Hyderabad, Calcutta, Simla and Shillong Centres were given moderation. In the light of the above facts, the applicant also filed petition for re-valuation/retotalling of marks in Papers-IX and X of Part-II, JAO Examination held in January, 1992. His representation filed in this behalf has been forwarded to the higher authority and that is indicated in Annexure-II. In the light of Annexure-II, the applicant has further prayed that a direction may be given to the respondents to dispose of his representation.


2. The applicant contended that if two more marks are awarded in Papers-IX and X, he would get the benefit of 80 marks and thereby he will be declared successful for getting promotion as JAO in the year 1992. However, he passed in the subsequent examination conducted in November, 1993 securing very high marks. Considering the fact that the applicant had been promoted as JAO, it is not necessary to go into the contentions raised by the applicant.

3. The learned counsel for the respondents produced before us the judgement of the Principal Bench in OA-140/93(Ranbir Singh Sodhi V. Union of India & others). The question raised by the applicant in this case has been considered in that case and dismissed the OA.

4. Under the above circumstances, we are of the view that the decision relied by the respondents would apply in this case and this case can be closed. Accordingly, we close the OA. No costs.



(S KASIPANDIAN)
MEMBER(A)


7.1.94
(N DHARMADAN)
MEMBER(J)

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