

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BANGALORE

DATED THIS THE 5th DECEMBER 1986.

Present : Hon'ble Justice K.S.Puttaswamy ... Vice Chairman
Hon'ble Shri L.H.A. Rego ... Member(A)

Application No. 1749/86.

Shri Rajanikanth Pendey,
Research Assistant,
Department of Hindi,
Bangalore University,
Jnana Bharathi,
BANGALORE - 560 056. Applicant
(Shri Shivappa, Advocate)

Vs.

The Union Public Service Commission,
represented by the Secretary,
U.P.S.C., Dholpur House,
Shahjahan Road,
NEW DELHI-110 011. Respondent
(Shri R.Narendra, Advocate)

The application has come up for hearing before
Court today. The Vice-Chairman made the following :

O R D E R

Notices issued to the applicant and his learned
counsel for hearing of this case to-day have been duly
served. But, neither the applicant nor his learned
counsel are present whenever this case was called.
We have perused the records and heard Sri M.Vasudevarao,
learned Additional Central Government Standing Counsel
appearing for the respondents.

2. In this transferred application received from the High Court of Karnataka under Section 29 of the Administrative Tribunals Act of 1985 ('the Act), the applicant has sought for a direction to the respondent to permit him to take the main All India Service Examination scheduled to be held on 2.11.1984.

3. Among others, the applicant has asserted that he had passed in the preliminary examination and was therefore entitled to appear for the main examination to be held on 2.11.1984.

4. In its statement of objections, the respondent has asserted that the applicant had failed in the preliminary examination and the communication dated 2.6.1984 relied on by the applicant in that behalf was a forged one. We have no reason to disbelieve the statements made by the respondent. If that is so the claim of the applicant that he had passed in the preliminary examination and was entitled to appear for the main examination must necessarily fail. Even otherwise also, this is not a fit case to examine and decide the questions that are in dispute between the parties.

5. On the foregoing discussion, we hold that this application is liable to be dismissed. We, therefore, dismiss this application. But, in the circumstances of the case, we direct the parties to bear their own costs.

Mr. R. Matalam
VICE-CHAIRMAN 5/12/86

H. S. S.
S. A. 986
MEMBER(A)