

(13)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH
CIRCUIT SITTING AT NAGPUR

Review Petition No.129/92

in
O.A.663/90

Gangadhar G. Anantwar,
r/o. Itwari,
Near Datta Mandir,
Nagpur.

.. Review Petitioner

versus

Director General (Postal)
New Delhi
through
The Director of Accounts,
(Postal)
Nagpur.

.. Respondent

Coram: Hon'ble Shri Justice S.K.Dhaon,
Vice-Chairman.

Hon'ble Shri M.Y. Priolkar,
Member (A)

Appearances:

1. Mr. S. V. Gole,
Advocate for the
Review Petitioner.
2. Mr. Ramesh Darda
Counsel for the
Respondents.

TRIBUNAL'S ORDER: Date: 17-9-1992
(Per S.K.Dhaon, Vice-Chairman)

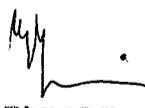
This is an application seeking
the review of order dt. 13th September, 1991
passed by this Tribunal in O.A.663/90.

2. Admittedly the applicant had to
appear in five papers in the Part-I exami-
nation. It is also not in dispute that a
candidate who appeared for the said exami-
nation was not only required to pass in
all the five papers but he was also required
to obtain an aggregate of 45%. It is also
not in dispute that the applicant passed
in five papers but he failed to achieve
the aggregate of 45%; he secured 44.4%

in aggregate. This fact has been noticed by the Tribunal and therefore this consideration was the predominant one which resulted in the dismissal of this O.A. The argument advanced before us is that the Tribunal committed an error apparent on the face of the record as it failed to take into account a circular dt. 12th March, 1990 which was brought to its notice. This is not correct. The Tribunal has noticed the circular. The Tribunal has rejected the argument of the applicant that by means of this circular there was a relaxation in the condition that a candidate should secure 45% marks in aggregate. It has taken the view that the circular was issued because there was a change in the syllabus insofar as the paper of Advanced Accountancy which form^{ed} part of syllabus^{of} part-I examination had been shifted to Part-II examination. With the result that a candidate was required to appear only in five papers at the part-I examination.

3. We have gone through the circular are ourselves and we/also satisfied that its purpose was not to relax the condition that a candidate must obtain a minimum of 45% marks in aggregate.

4. There is no substance in this application. The review petition is rejected.


(M.Y. PRIOLKAR)
Member (A)


(S.K. DHAON)
Vice-Chairman