

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

Second Floor,  
Commercial Complex,  
Indiranagar,  
BANGALORE- 560 038.

Dated: 5 JAN 1995

APPLICATION NO: 1680 of 1994.

APPLICANTS:- Smt. Shashikala, Bangalore.

V/S.

RESPONDENTS:- The Controller of General of Defence Accounts,  
R.K. Puram, New Delhi and two others.,

To.

1. Sri. R. Sharathchandra, Advocate,  
No. 5/62, Vishwa Bharathi Nilaya,  
59th Cross, Fourth Block, Rajajinagar,  
Opp: M.E.I. Polytechnic, Bangalore-10.
2. Sri. M. Vasudeva Rao, Addl. C.G.S.C.  
High Court Bldg, Bangalore-1.

Subject:- Forwarding of copies of the Order passed by the  
Central Administrative Tribunal, Bangalore.

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Please find enclosed herewith a copy of the ORDER/  
STAY ORDER/INTERIM ORDER/ passed by this Tribunal in the above  
mentioned application(s) on 22-12-1994.

Issued on  
05/01/95

*[Signature]*

*[Signature]*

*[Signature]*

*[Signature]*  
DEPUTY REGISTRAR  
JUDICIAL BRANCHES.

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

O.A. No.1680/94

THURSDAY THIS THE TWENTY SECOND DAY OF DECEMBER 1994

Shri Justice P.K. Shyamsundar ... Vice-Chairman

Shri T.V. Ramanan ... Member [A]

Smt. Shashikala,  
Aged 21 years,  
D/o Vittal Rao,  
R/a DAD Quarters,  
Cambridge Layout,  
D-14/9, Bangalore.

... Applicant

[By Advocate Shri R. Sharath Chandra]

v.

1. The Controller General  
of Defence Accounts,  
R.K. Puram,  
New Delhi.
2. The Controller of Defence Accounts  
[Ors], South,  
Agaram Post,  
Bangalore-560 007.
3. Sri Johnson, Major,  
S/o Kuppan,  
R/o DAD Complex,  
No.7/6, Cambridge Road,  
Ulsoor, Bangalore-560 008. ... Respondents

[By Advocate Shri M. Vasudeva Rao  
Addl. Standing Counsel for Central Govt.]

O R D E R

Shri Justice P.K. Shyamsundar, Vice-Chairman:

1. We have heard Shri Sharat Chandra, learned counsel for the applicant and Shri M. Vasudeva Rao, learned Standing Counsel for the respondents but find no substance in this application wherein the applicant who sought selection to a Group D post in the office of Controller of Defence Accounts, Bangalore has since been interviewed in that behalf. Although the applicant was interviewed under what appears to be a cate-



gory called the Wards quota, Shri Sharat Chandra says that the Wards quota is earmarked for the children of guardians and parents who served or still serving in the Department and says that it is in that category that the claim of the applicant has to be considered and we notice that the claim has also been considered under the <sup>said</sup> wards quota.

2. It transpires that in all recruitment was made for 10 vacancies and out of that 4 slots were reserved under the wards quota. As a result of the interview under the wards quota four persons who had secured the highest marks at the interview were ultimately selected. We have perused the records maintained by the selection committee and are satisfied that there has been no deviation in the matter of selection which appears to be based purely on the marks obtained by each of the candidates at the interview. We state once again that the applicant had secured less marks than the four people who were selected. By <sup>virtue of</sup> this simple question of comparison of the applicant with those selected, this application has to fail. But then Shri Sharat Chandra maintains that under the wards quota the criteria for selection should be relatable to the seniority of the guardians and parents of the Wards. We asked him, what was the basis for the <sup>said</sup> contention and whether the recruitment rules provided for it or whether the notification inviting applications contained such a stipulation. Counsel was unable

to lay hands on any provision of the recruitment rules enjoining such a provision and what is more as we have ourselves seen there is nothing in the notification inviting applications making any concession in that behalf about seniority and in that situation it is futile to contend that selection should be relatable to the seniority of the parents and guardians. There is absolutely no room for such<sup>a</sup> contention which therefore, fails.

3. As we are satisfied that the selection of the candidates was made purely on the basis of the performance at the interview where the applicant did not perform just well enough, therefore, it follows that this application is without any substance and is liable to be dismissed. It is ordered accordingly. No costs.

Sd-

MEMBER [A]

Sd-

VICE-CHAIRMAN



**TRUE COPY**

*[Signature]*  
Section Officer  
Central Administrative Tribunal  
Bangalore Bench  
Bangalore

*[Handwritten signature]*  
5/1/95