

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

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

Dated: 26 SEP 1994

APPLICATION NO: 803 of 1994.

APPLICANTS:- Miss.G.Meena Kumari,

V/S.

RESPONDENTS:- Secretary, Staff Selection Commission, New Delhi
and another.

To

1. Sri.M.S.Bhagwat,
Advocate, No.24/1,
First Floor,
First Main, Temple Road,
Mallewaram, Bangalore-3.
2. Sri.M.S.Padmarajaiah, Senior
Central Govt. Stng. Counsel,
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 13th September, 1994.

Issued on

26/9/94 18

for S. Shankar
DEPUTY REGISTRAR
JUDICIAL BRANCHES.

CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE BENCH

ORIGINAL APPLICATION No.803/1994

TUESDAY, THIS THE 13TH DAY OF SEPTEMBER, 1994

SHRI JUSTICE P.K. SHYAMSUNDAR .. VICE CHAIRMAN

SHRI T.V. RAMANAN .. MEMBER (A)

Miss G. Meena Kumari,
D/o Sri G. Abraham,
Aged about 23 years,
No.8, Gayathri Nilayam,
Ramaswamypalyam, M.S.Nagar Post,
Banaswadi Road, Bangalore.

... Applicant

(By Advocate Shri M.S. Bhagvat)

Vs.

1. The Staff Selection Commission,
Government of India,
represented by its Secretary,
Block No.12, C.G.O. Complex,
Lodhi Road, New Delhi - 110 003.

2. The Staff Selection Commission,
Government of India,
Vieweshwaraiah Tower, 21st Floor,
Dr. B.R. Ambedkar Road,
Bangalore - 560 001.

... Respondents

(By Advocate Shri M.S. Padmarajaiah,
Central Govt. Sr. Standing Counsel).

O R D E R

Shri Justice P.K. Shyamsundar, Vice Chairman :

Heard the learned counsel for the applicant Shri M.S. Bhagvat and the learned Standing Counsel Shri M.S. Padmarajaiah.

Shri Bhagvat also files a rejoinder to the objections filed by the Govt. but, we do not think it is necessary.

2. The applicant took an examination leading to the selection to the post of Grade D Stenographer conducted by the Staff Selection Commission. She had to undergo a proficiency test regarding Stenography.



She claims to have done very well in both the Typewriting and Short-hand test, but, she finds herself not placed whereas others were declared successful pending some 30 candidates being placed in the with-held category. The applicant thought that she was one of those whose results had been with-held. But, the position has since been made clear by the respondents who in their reply mentioned that the 30 candidates whose results were with-held belonged to a ~~prohibited~~ ^{provincial} category, being people who hailed from the Northern and Central regions, whereas the applicant appeared from the Southern region.

3. What becomes apparently clear is that the applicant was not part and parcel of the with-held category. On the other hand Government's objections also makes clear that the applicant did not figure either in the list of candidates recommended for appointment which list was published in the Employment ~~Exchange~~ ^{News} on 17.7.1993 ~~and~~ or ~~was~~ ^{was} she one among the 30 candidates whose results were with-held. The position is that the applicant was not recommended for appointment ~~and~~ whereas the others who probably had a better performance ~~than~~ this lady got the official nod. If that be so, the applicant cannot feel aggrieved as apparently on the strength of her performance she did not merit selection. What we must however, notice is the fact that the apprehensions of the applicant that she was amongst the with-held category of candidates. The official statement makes it clear that she was not one amongst them, but, that she was not recommended for selection because there were people who had apparently fated better than her.

4. Shri Bhagvat for the applicant, makes a plea that the applicant should be issued with the list of candidates selected, marks obtained by them and also her own performance, etc., etc. We do not think it appropriate to consider that plea since we cannot entertain such an investigation. This is not a case in which any

malafide is alleged against the Staff Selection Commission.

Apparently, everything had been done according to the rules.

Under the circumstances, the applicant cannot malign the Staff Selection Commission for her non selection because it was due to the fact that those who fared better than her got selected. If the applicant still wants the list of select candidates, it is open to her to ask and obtain the same. Shri Bhagvat says that his client had made some representations to the Staff Selection Commission in that behalf, requesting the Govt. to furnish the list of selected candidates. If there is any such representation, the same can be disposed of, if ^{it has been} ~~they are~~ not disposed off so far.

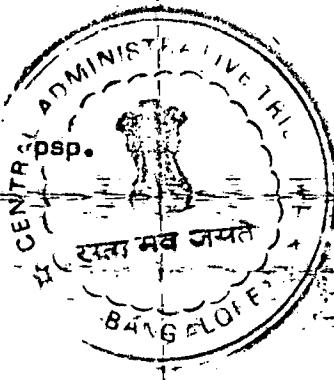
5. With this observation, this application which fails stands dismissed. No costs.

Sd-

Sd-

(T.V. RAMANAN)
MEMBER (A)

(P.K. SHYAMSUNDAR)
VICE CHAIRMAN



TRUE COPY

S. Shashikumar
Section Officer
Central Administrative Tribunal
Bangalore Bench
Bangalore

In the Central Administrative Tribunal
Bangalore Bench
Bangalore

ORDER SHEET

Review

Application No.
in OA No. 803/94 of 199 J -

Respondent

Applicant

Miss G Meeda Kumari

Secy, SSC, N.Dli & anr

Advocate for Applicant

Sh MS Bhagwath

Advocate for Respondent

Date	Office Notes	Orders of Tribunal
		<p>Delay The Plaintiff is admitted. The proposed explanation is very unsatisfactory and was in the main OA despatched on 13-9-94 (obstructive) but held the matter slewed to the back because was due unsatisfactory for some</p>

Date

Office Notes

Orders of Tribunal

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recording the order
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officer was
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some material
regarding them we
can only judge the
the known partly
unpublished &
therefore the delay may
never be caused
there this - RA Feb 63

In the Central Administrative Tribunal
Bangalore Bench
Bangalore

Application No. 58 of 1995

ORDER SHEET (Contd.)

Date	Office Notes	Orders of Tribunal
		<p>on grounds of delay a decree is on issue between which</p> <p>Sd- 16/8/95</p> <p>TRUE COPY</p> <p>31/8/95 Section Officer Central Administrative Tribunal Bangalore Bench Bangalore</p>