

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,
Malleswaram, 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

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,
Ramaswampalyam, M.S.Nagar Post,
Banasaawadi 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,
Visweshwaraiah Tower, 21st Floor,
Dr. B.R. Ambedkar Road,
Bangalore - 560 001.

... Respondents

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

ORDER

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.

...2..



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} ~~prohibited~~ 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 ^{Nurs} ~~Exchange~~ 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 ~~for~~ whereas the others who probably had a better performance ~~that~~ 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 ^{also} ~~not~~ recommended for selection because there were people who had apparently fared 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 of so far.

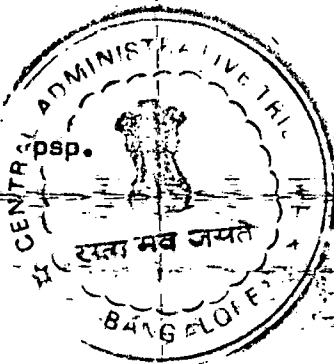
5. With this observation, this application which fails stands dismissed. No costs.

Sd-

(T.V. RAMANAN)
MEMBER (A)

Sd-

(P.K.SHYAMSUNDAR)
VICE CHAIRMAN



TRUE COPY

Section Officer
Section Officer
Central Administrative Tribunal
Bangalore Bench
Bangalore

In the Central Administrative Tribunal Bangalore Bench Bangalore

ORDER SHEET

Review

Application No. 58 of 199 5
in OA No. 803/94

Applicant

Respondent

Miss G Meeda Kumari

Secy, SSC, N.D11 & anr

Advocate for Applicant

Advocate for Respondent

Sh MS Bhagwath

Date	Office Notes	Orders of Tribunal
		<p>The delay I should admitted. The proffered explanation is very unsatisfactory. Court has in the main OA deshed of 13-9-94 (absent) has held the re- selection to the post is of minor was due unsatisfactory forwarding</p>

Date

Office Notes

Orders of Tribunal

at the school
 just etc. If
 that be the
 few station
 no guarantee as
 primary made of
 selection of others
 but as we are
 for a frame for
 receiving the agent
 order of the
 selection of the
 official car was
 entered in the
 records - in getting
 some material
 regarding things we
 can only provide the
 the last or partially
 completed survey &
 then the selection
 also we be coming
 there as RA had the

In the Central Administrative Tribunal
Bangalore Bench
Bangalore

Application No. 58 of 199 5

ORDER SHEET (Contd.)

Date	Office Notes	Orders of Tribunal
		<p>on grounds of delay in the case on merits between the parties</p> <p>Sd- <i>[Signature]</i> Sd- <i>[Signature]</i> 14/8/95 16/8/95</p> <p>TRUE COPY</p> <p><i>[Signature]</i> 31/8/95 Section Officer Central Administrative Tribunal Bangalore Bench Bangalore</p>