

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH
JAIPUR.

O.A.NO.568/92

Date of order: 11.12.92

Om Prakash Jindal

: Applicant

Vs.

Union of India & Ors

: Respondents

None present for the applicant

Mr. U.D.Sharma

: Counsel for respondents.

CORAM

Hon'ble Mr.Justice D.L.Mehta, Vice Chairman

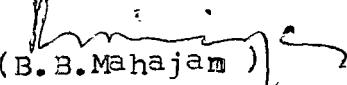
Hon'ble Mr.B.B.Mahajan, Adm. Member.

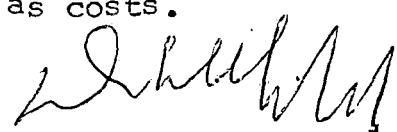
PER HON'BLE Mr. B. B. MAHAJAN ADMINISTRATIVE MEMBER.

At the last date i.e. 16.11.92 the counsel for the applicant had requested for one week time to file rejoinder. No rejoinder has been filed so far. None present on behalf of the applicant today. We have gone through the record and heard the counsel for the respondents. The applicant had appeared in the test for promotion to the post of Clerk Gr.II from Class III & IV staff. He had failed to qualify the test. He has stated that he had done his papers very well and qualified written test on last occasion vide Annexure :A-4. He has also stated that there was corruption in selecting the candidates but has not given any further details except that one Shri Abid Merchant had been invited for viva-voce test vide impugned letter dated 19.8.92 though his name had not appeared in the list showing the names of candidates having been called for written test vide Annexure-A-3. The respondents have stated in the reply that the name of Abid Merchant had been included in the list of candidates who were called for written test vide letter dated 4.6.92 Annexure : R-2. They have also produced the attendance sheet for the written test as Annexure :R-3 which shows the name of Abid Merchant with his signature as well as the name of the applicant with his signature.

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They have also produced the copy of the result sheet which shows that Abid Merchant had passed the written test (Annexure : R-5) by securing 25 marks out of 35 Marks. Thus the allegation that abid Merchant had called for viva voce without his appearing for written test was based on misconception. There are no other details in the O.A. about any alleged irregularity in the written test. The fact that the applicant had passed in an earlier written test and had failed in this written test is no ground for holding that the present test has been wrongly conducted. There is thus no merit in the O.A. The same is accordingly dismissed with no orders as costs.


(B.B. Mahajan)
Member (Adm.)


(D.L. Mehta)
Vice Chairman.

Anil