

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH,

J A I P U R.

O.A. No. 812/92

Date of decision: 29.6.94

A.C. CHATURVEDI & ANP. : Applicants.

VERSUS

UNION OF INDIA & ORS : Respondents.

Mr. J.K. Kaushik : Counsel for the applicants.

Mr. Manish Bhandari : Counsel for the respondents.

CORAM:

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

Hon'ble Mr. O.P. Sharma, Administrative Member

PER HON'BLE MR. JUSTICE D.L. MEHTA, VICE-CHAIRMAN:

The applicants challenged the order (Annexure A-1) in which the result was declared on 1.6.89 and prayed that all selections made be cancelled and the respondents may be directed to conduct the trade test for the post of WTM Gd.I afresh in accordance with the existing rules as on the date of test held (i.e. 23.5.89) and may be allowed the consequential benefits as per rules. It was submitted that the papers were set only in English language and not in bilingual. As such, the complete test is defective and for this reason, the selections made of the persons, referred to, in Annexure A-1 may be quashed.

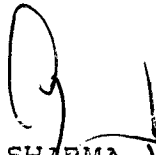
2. We have heard the learned counsel for the parties and perused the rules. It is necessary that the ^{question} papers should be ~~set~~ ~~in~~ bilingual i.e. in English and Hindi. To set the papers only in English and not in Hindi may deprive the applicants of the right of appearing in the trade test on the basis of bilingual paper. We are satisfied that the respondents have committed an error in setting the papers only in English and not in bilingual as mentioned in the circular.

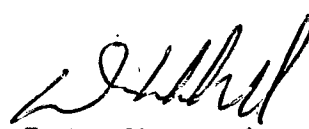
3. We direct the respondents that the applicants may be given additional opportunity of appearing in the test and the papers may be set in bilingual, i.e. in English and in Hindi. Age relaxation should be there as the applicants

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have been deprived of their rights and it may be considered as examination of the year 1989 for the purpose of age relaxation.

4. The O.A. is disposed of accordingly with this direction and the respondents are directed to conduct the test within a period of 3 months from the date of issue of this order. There shall be no order as to costs.


(O.P. SHARMA)
Administrative Member


(D.L. MEHTA)
Vice-Chairman