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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

DA.1012/93

date of decision : 26-8-93

R.G. Siva Maruti : Applicant

The Secretary
Union Public Service Commission
Dholpur House
Shahjahan Road
New Delhi 110011

: Respondent

Counsel for the applicant : K.S. Murthy, Advocate

Counsel for the respondent : N.R. Devaraj, SC for
Central Government

CORAM

HON. MR. JUSTICE V. NEELADRI RAO, VICE CHAIRMAN

HON. MR. P.T. THIRUVENGADAM, MEMBER (ADMINISTRATION)

Judgement

(As per Hon. Mr. Justice V. Neeladri Rao, Vice Chairman)

Heard Sri K.S. Murthy, learned counsel for the applicant
and Sri N.R. Devaraj, learned counsel for the respondent.

2. The applicant appeared for Civil Services (Preliminary)
Examination, which was held on 13-6-1993 and his Hall Ticket
number is 014683. He was asked to take examination in
Kasturba Gandhi College for Women, West Marredpally, Secundera-
bad.

3. Alongwith the application forms, the candidate had to
affix his photo on the attendance sheet and the attendance
sheets of the candidates are being sent to the various
centres so as to avoid impersonation in writing the exami-
nations. But the case of the applicant is that

as his attendance sheet was not received in the relevant centre, the Invigilator had taken his signature on a sheet of paper and then he was permitted to write the examination on the basis of the Hall-ticket available with him. The results were published on 30-7-1993. The applicant's number did not find place therein.

4 The case of the applicant is that on 30-7-93 itself he sent a representation to UPSC and then he was informed by letter dated 12-8-1993 with the signature of the Under Secretary, UPSC, as under :

"I am directed to refer to your representation dated 30-7-93 on the subject mentioned above and to say that all the points raised by you have been checked and it has been verified that there is no mistake of any kind. After recheck-
ing, I am to inform you that you have not

(emphasis supplied).

5. It is further stated for the applicant that when he went to Delhi he was informed that unless the attendance sheet is sent alongwith the answer paper, the latter is not evaluated. Hence, it is urged that the words "not qualified in the examination" referred to in reply vide letter dated 12-8-1993 means that his answer papers were not evaluated as the attendance sheet was not sent alongwith the answer paper.

6. It has to be seen that the reply dated 12-8-1993 is signed by Under Secretary, Union Public Service Commission. When in such a reply, it is mentioned that the candidate is not qualified in the examination, it only means that the marks obtained by him are less than the cut off marks decided. Hence, when UPSC already informed the applicant that the marks obtained by him in the examination are less than the

cut off marks, it will be a futile exercise to admit the
OA and issue notice to UPSC.

7. Accordingly this OA is dismissed, at the admission
stage. No costs.

P. J. D. S.
(P. J. D. S.)
Member (Admn)

(V. Neeladri Rao)
(V. Neeladri Rao)
Vice-Chairman

Dated : August 26, 93
Dictated in the Open Court

15/9/93
Deputy Registrar (J)

To

1. *SK* The Sanjay Kumar Reddy, New Delhi-11.

2. One copy to Mr. K. S. Murthy, Advocate, 3-5-926/19/A
1st Floor, Main Road, Himayatnagar, Hyd.

3. One copy to Mr. N. R. Devraj, Sr. CGSC. CAT. Hyd.

4. One copy to Library, CAT. Hyd.

5. One spare copy.

pvm

P. J. D. S.
15/9/93

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE V. NEELADRI RAO
VICE CHAIRMAN

AND

THE HON'BLE MR. A. B. GORTHY : MEMBER (A)

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY
MEMBER (JUDL)

AND

THE HON'BLE MR. P. T. TIRUVENGADAM : M(A)

Dated: 26 - 8 - 1993

ORDER/JUDGMENT:

M.A/R.A/C.A.No.

in

O.A.No.

T.A.No.

1012/93
(W.P.)

Admitted and Interim directions
issued.

Allowed

Disposed of with directions

Dismissed

Dismissed as withdrawn

Dismissed for default.

Rejected/Ordered

No order as to costs.

pvm

