

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

OA.913/99

dt.26-7-99

Between

B. Yoganand

: Applicant

and

Agricultural Scientists Recruit-
-ment Board (ICAR), rep. by its
Secretary,
Krishi Anusandhan Bhawan
PUSA, New Delhi 110012

: Respondent

Counsel for the applicant

: A. Satya Prasad
Advocate

Counsel for the respondent:

: N.R. Devaraj
CGSC

Coram

Hon. Mr. R. Rangarajan, Member (Admn.)

Hon. Mr. B.S. Jai Parameshwar, Member (Judl)





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Order

Oral order (per Hon. Mr. R. Rangarajan, Member (Admn.)

Heard Mr. A. Satyaprasad for the applicant and Mr. W. Satyanarayana for Mr. N.R. Devaraj for the respondent.

1. This OA is filed praying for a direction to the respondent herein to conduct interview/viva-voce to the applicant herein bearing roll No.008936 for the post of Scientist in ARS/SRF in the discipline of Agricultural Economics by declaring the inaction on the part of the respondent in not issuing the letter to the applicant as illegal, arbitrary and violative of Article 14 of the Constitution.

2. The applicant applied for the above post on the basis of an open notification. A telegram was sent to him on 22-5-1999 by the Agricultural Scientists Recruitment Board directing the applicant to appear for the interview on 22-5-1999 at 8 a.m. alongwith original documents and attested copies thereof. It is also stated in the telegram that 'letter follows'. The applicant submits that even though he was aware of the telegram he did not attend the interview as he was expecting a letter in this connection as stated in the telegram. He further adds that the letter may explain in regard to the documents to be produced and other details and hence he did not attend the interview in accordance with the telegram on 22-5-1999. Hence, he prays for the above relief.

3. The learned counsel for the respondents submits that the applicant himself had enclosed a self addressed






..2.

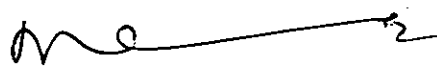
envelope for correspondence with him. The respondents enclosed in that cover all necessary instructions and sent it to the address written on the cover by speed post. But there was no body to receive the letter and that was ^{returned} ~~delayed~~, and the respondents are in no way responsible for not interviewing him.

4. It is not understood why the applicant did not attend the interview in view of fixation of time and date of interview. If he ^{did} ~~does~~ not get the letter which ^{was} ~~is~~ reported to be sent after issue of the telegram he could have presented ^{himself} before the Interview Committee with the available documents and request ^{that} ~~for~~ interview but he did not take ~~the~~ course of action. The applicant should have ensured that the letter addressed to Visakhapatnam ^{was} ~~is~~ received by some one in the house hold. If he ^{was} ~~is~~ not at available at Visakhapatnam he should ^{have} ~~make~~ arrangements to direct the same to where he ^{was} ~~is~~ staying at that time. The applicant himself gave his address on the envelope and that envelope was posted by speed post containing necessary instructions. It is a failure on the part of the applicant in not instructing his house hold to direct the letter to his address where he had stayed at that time. It is not known whether such instruction is given. That self addressed envelope was returned back as ^{there was} ~~there was~~ no one to receive that post. Hence the respondents have acted in accordance with instructions and invited the applicant for interview. The applicant failed to appear for the interview and hence he was not selected. In view of the above the blame lies on the applicant and not on the respondents side.

5. The OA is dismissed accordingly. No costs.


(B.S. Jai Parameshwar)
Member (Judl.)

26.7.99


(R. Rangarajan)
Member (Admn.)

Am B
25/8

Dated : 26 July, 1999
Dictated in open court

sk

1st AND 11th COURT.

COPY TO:-

1. HON'G
2. HARP M(A)
3. HOSJP M(J)
4. D.R. (A)
5. SPARE

TYPED BY
COMPILED BY

CHECKED BY
APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH, HYDERABAD.

THE HON'BLE MR. JUSTICE D.H. NASIR
VICE - CHAIRMAN

THE HON'BLE MR. H. RAJENDRA PRASAD.
MEMBER (ADMIN)

THE HON'BLE MR. R. RANGARAJAN :
MEMBER (ADMIN)

THE HON'BLE MR. B.S. JAI PARAMESHWAR :
MEMBER (JUDL)

ORDER: Date. 26/7/99

ORDER / JUDGMENT

MA./RA./CP.NO

IN

DA.NO. 913/99

ADMITTED AND INTERIM DIRECTIONS
ISSUED.

ALLOWED.

C.P. CLOSED

R.A. CLOSED.

D.A. CLOSED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED / REJECTED

NO ORDER AS TO COSTS.

