

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH

J A I P U R.

O.A. No. 737/93

Date of decision: 26.7.94

MANGAL SINGH & ORS

: Applicants.

VERSUS

UNION OF INDIA

: Respondents.

Mr. P.D. Khanna

: 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:

Heard the learned counsel for the parties.

2. It was agreed upon by the parties that this case is, to a great extent, identical with the case of Deep Kumar Jaiman & Anr. Vs. Union of India & Ors, decided on 15.7.94 in O.A. No. 316/92. It was agreed upon that the same direction may be issued in this case also. In the result, we direct as under:-

There is no doubt that it was due to fault on the Administration that the applicants were invited for selection to the post of HTC, etc. and it did cause them some harassment and even mental agony when they were not called for viva voce although they had cleared the written selection test. While we cannot grant the relief claimed by the applicants, we direct that if the applicants have since become eligible for appearing in the selection for the post of HTC etc, and if they have not already been selected/appointed to the said post, they may not be subjected to the written examination which they have already passed once and their viva voce may be conducted straight away on the assumption that they have already passed the written examination. This viva voce may be held when the selections are next proposed.

We further direct that till the process of the selection by Viva voce is completed, the applicants may not be reverted. However, after the process of the selection by viva voce is completed, if necessary, the orders can be passed by the respondents.

3. The O.A. stands disposed of accordingly, with no order as to costs.

(O.P. SHARMA)
Administrative Member

D.L. MEHTA
Vice-Chairman