

**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH**

**OA NO.3334/2015**

NEW DELHI THIS THE 22<sup>ND</sup> DAY OF SEPTEMBER, 2016

**HON'BLE MR. P.K. BASU, MEMBER (A)**  
**HON'BLE DR BRAHM AVTAR AGRAWAL, MEMBER (J)**

Ms. Ruby,  
Aged 24 years,  
Group 'C'  
(Post applied for Data Entry Operator)  
W/o Shri Ajay,  
R/o House No.1040/13,  
Near Haryana Hospital,  
Janta Colony, Sonipat-131001. ...Applicant

(By Advocate: Mr. Ashish Nischal)

**VERSUS**

1. Staff Selection Commission,  
Through its Secretary,  
Block -12, CGO Complex,  
Lodhi Road, New Delhi-110003.
2. Union of India,  
Through its Secretary,  
Department of Personnel & Training,  
North Block,  
New Delhi-110001. ...Respondents

(By Advocate: Mr. Yogesh Mohan for Mr. Gyanendra Singh)

**ORDER (Oral)**

**HON'BLE MR P.K. BASU, MEMBER (A):**

Heard the learned counsel for the applicant.

2. The applicant appeared for selection for the post of Data Entry Operator (DEO) and Lower Division Clerk (LDC) against the advertisement of Staff Selection Commission (SSC) dated 19.07.2014. She appeared for the examination of written test and Data Entry Skill Test. She cleared the written test but unfortunately the SSC cancelled the written examination and the applicant was also asked to appear for the second written examination. The contention of the applicant is that the SSC had not cancelled the

examination held at the centre in which she had appeared. The applicant appeared for the second written examination but admittedly she could not qualify. She secured 84 marks as against 103 marks secured by the last OBC candidate. The contention of the applicant is that since the first written examination at the centre that she appeared has not been cancelled, therefore, her marks obtained in the first written examination should be counted instead of second examination in which she has not been selected. It is stated that in the first examination she secured 154.75 marks as against the cut-off of 107.50 for OBC and 120.25 for general candidates.

3. Per contra, learned proxy counsel for the respondents states that the applicant appeared as OBC candidate in Paper I and cleared it but she could not clear Paper II as the cut-off marks in Paper II for OBC candidates was 103 whereas she obtained only 84. It is stated that the re-examination was not held for the applicant's centre for Paper I. The applicant is confusing the Paper II examination which she appeared in to be the re-examination for Paper I. Thus, this OA has been filed on misplaced understanding and there is no cause of action at all.

4. The OA is, therefore, dismissed. No costs.

**(Dr. Brahm Avtar Agrawal)**  
**Member (J)**

**(P.K. Basu)**  
**Member (A)**

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