

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

O.A. No. 4143/2017

Reserved on : 11.01.2018

Pronounced on : 25.01.2018

**HON'BLE MR. V. AJAY KUMAR, MEMBER (J)
HON'BLE MS. NITA CHOWDHURY, MEMBER (A)**

Himanshu Kumar Raghav,
Aged about 32 years
S/o Shri Ravendra Singh
Working as Postal Assistant
O/o the Postmaster General,
Agra Region, Agra (UP).

.. Applicant

(By Advocate: Shri Subhash Chandra)

Versus

1. Union of India Through
Secretary,
Ministry of Communication & I.T.
Sansad Marg, New Delhi.
2. The Director General (Posts),
Govt. of India,
Department of Posts,
Dak Bhawan, Sansad Marg,
New Delhi-110001.
3. The Chief Post Master General,
Lucknow Circle,
Lucknow (UP).

... Respondents

ORDER

By Mr. V. Ajay Kumar, Member (J)

Heard the learned counsel for the applicant.

2. The applicant, a Postal Assistant in the Department of Posts,
in pursuance of Annexure A-2 Notification dated 05.09.2016 for

promotion to the post of Inspector Posts against 66.66% departmental quota for the year 2015-16, applied and participated in the consequential Limited Departmental Competitive Examination. The respondents published the provisional keys of question papers on 28.12.2016.

3. According to the applicant, he did well in the Examination and as per the provisional keys of question papers, he should have got sufficient marks for selection against 11 vacancies under U.P. Circle in General category. However, when the respondents declared the final results on 21.06.2017, he was shocked to know that he was placed at 17th position. He came to know that the respondents have dropped 24 questions and answers of 9 questions were changed from that of the answers shown in the provisional keys.

4. The applicant submits that dropping of questions and changing of provisional answer keys without notice or opportunity to the applicant is illegal and arbitrary.

5. It is seen that in any examination provisional keys are published only to enable the candidates to submit their objections or views and, thereafter, after considering the objections received thereto, if any, the authorities publish the final keys and basing on

the same, results would be announced. As long as the same is done without any discrimination towards any particular candidate, the action of the authorities cannot be found fault with.

6. Further, it is for the authorities to decide which answer is the right answer for the question, unless it is alleged and established that particular answer decided by the authorities to a particular question is against the record and established principles.

7. In the circumstances and for the aforesaid reasons, the O.A. is dismissed being devoid of any merit. No order as to costs.

(NITA CHOWDHURY)
Member (A)

(V. AJAY KUMAR)
Member (J)

/Jyoti