

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

O.A. No.4259 of 2018

Orders reserved on : 19.11.2018

Orders pronounced on : 22.11.2018

Hon'ble Ms. Nita Chowdhury, Member (A)

Hon'ble Mr. S.N. Terdal, Member (J)

Rituraj Saroha
S/o Sh. Dalal Singh Saroha,
H.No. 14-A, Teachers Colony, Atal Road,
Sonipat (Haryana).

....Applicant

(By Advocate : Shri Siddharth Joshi)

VERSUS

1. Delhi Subordinate Services Selection Board,
NCT of Delhi,
Through its Secretary, DSSSB,
FC-18, Institutional Area, Karkardooma,
Delhi-110092.
2. Chairman,
Delhi Subordinate Services Selection Board,
NCT of Delhi,
FC-18, Institutional Area, karkardooma,
Delhi-110092.

.....Respondents

(By Advocate : Shri)

ORDER

Ms. Nita Chowdhury, Member (A):

Heard learned counsel for the applicant at the admission stage itself.

2. By filing this OA, the applicant is seeking the following reliefs:-

“i) Pass order to set aside and quash the result (Annexure-A-2) of the applicant which declared

him as not shortlisted to appear in the Examination (TIER-II) for the Post of Grade II (DASS) Post Code 40/13.

- ii) Pass order to declare the applicant as qualified to appear in the Tier-II examinations of DSSSB notified to be held on 25.11.2018 for which admit card to be downloaded between 14.11.2018 to 21.11.2018 (Annexure-A-1)
- iii) Pass orders to set aside the result notice no.529 dated 06.07.2017 (Annexure-A-8) and declare the modified Result Notice including the name of the applicant by shortlisting him as eligible to appear in the TIER-II Exam.”

3. The grievance of the applicant in this case is against non-shortlisting of his candidature for appearing in Tier-II examination for the post of Grade-II (DASS) Post Code No.40/13 due to less score by 0.5 marks only in the qualifying score as he has impugned his result of Tier-I exam in which it is stated that the applicant has not been shortlisted (Annexure A-2).

3.1 The contention of the counsel for the applicant is that the applicant's answers to question nos.147, 158 and 45 of his question booklet of Tier-I examination for the said post were not correctly evaluated. If the same was correctly evaluated then the applicant would have been declared eligible for appearing in Tier-II which is scheduled to be held on 25.11.2018.

3.2 Counsel for the applicant submitted that after receipt of the final answer key of the said tier-I examination, the applicant represented to the respondents on 12.7.2017 and

16.7.2017 but, according to the applicant, the decision on the same has not been communicated to him. Thereafter, the applicant move an application under RTI application sought information about the status of his aforesaid representations and the concerned authority provided information as under:-

“Marks awarded to the candidate through computerized evaluation system where there is no chance of any mistake. Further, it had already been communicated vide the final answer key notice dated 06.07.2018 that these answer keys are now final and will remain unchanged for the said post. No further correspondence shall be entertained in respect of the answer keys.”

“Candidates may refer to final answer key. Credit is given if question is correct. There is no provision as alleged by the applicant.”

3.3 Being aggrieved by the aforesaid information, the applicant preferred his first appeal dated 27.6.2018, which was disposed of with the observation that “as per record the RTI application was forwarded by PIO/DS(RTI) to PIO/DS (S.Ce.) on 10.07.2018. The reply furnished by PIO/DS(S.Cell) is found to be satisfactory.

4. From the aforesaid brief facts it is clear that final answer keys were remained unchanged as the same has been notified after evaluation of all objections filed through e-challenge module vide notice dated 6.9.2017 (Annexure A-5 (colly) page 93 of the paper book).

5. It is not the case of the applicant that his answersheet was

(S.N. Terdal)
Member (J)

(Nita Chowdhury)
Member (A)

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