

**(OPEN COURT)**

**CENTRAL ADMINISTRATIVE TRIBUNAL,  
ALLAHABAD BENCH, ALLAHABAD  
(Circuit Bench at Nainital)**

ALLAHABAD this the **20<sup>th</sup>** day of **November, 2017**.

**HON'BLE DR. MURTAZA ALI, MEMBER (J).**  
**HON'BLE MR. GOKUL CHANDRA PATI, MEMBER (A).**

Original Application Number. 331/0072/2016.

Devendra Singh Mehra, S/o Sri Trilok Singh, R/o Quarter No.  
13/11/S MES Colony, Post Office Bharkatia District Pithoragarh .  
.....Applicant.

**VE R S U S**

1. Union of India through Secretary, Ministry of Defence, Lodho Bhawan, New Delhi - 110001.
2. Chief Engineer Central Command Lucknow, U.P. 226001.
3. Engineer in-charge (ENG), Raja Ji Marg, New Delhi.
4. Commander Work Engineer (Hills), MES Pithoragarh, District – Pithoragarh.

.....Respondents

Advocate for the applicant : Shri Lalit Samant  
Shri Rakesh Negi

Advocate for the Respondents: Shri P.K. Rai

**O R D E R**

**(Delivered by Hon'ble Mr. Gokul Chandra Pati, A.M)**

The applicant has filed the present O.A. under Section 19 of the Administrative Tribunals Act, 1985 for the following main relief:-

- “(i). To issue an order or direction to the respondents quashing order dated 21.12.2015 issued by respondent no. 4.

- (ii). To issue an order or direction to the respondents to declare result of the petitioner for the post of MATE.
- (iii). To issue an order or direction to the respondents to pay compensation to the applicant.
- (iv). .....
- (v). .....
- (vi). To issue an order and direction to the respondents to provide appointment to the applicant on the post of MATE”.

2. The brief facts emerging out from the O.A. are that pursuant to the advertisement published by the respondents , the applicant applied for the post of MAT and appeared in the written examination held on 10.05.2015. The respondent no. 4 issued a letter dated 21.12.2015 cancelling the candidature of the applicant on the ground that his father was indulged for providing benefit to the applicant by using unfair means. It is the contention of the applicant that before passing the above order, the applicant has not been given opportunity of hearing. On 08.07.2015, a show cause notice was issued to the father of the applicant on the ground that he took out the question paper with Shri N.K. Yadav. The allegation in the show cause notice was denied by the father of the applicant. The applicant filed an application dated 07.05.2016 under RTI Act seeking complete information from respondent no. 4. In response to the RTI, the respondent no. 4 furnished requisite information to the applicant.

3. The respondents filed CA in which no where any complicity of the applicant is established.

4. We have heard Learned counsel for both the parties.

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**MEMBER- A.**

**MEMBER- J.**

Anand...