

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

MA/310/00048/2019 in & OA/310/01049/2015

Dated Wednesday the 6th day of February Two Thousand Nineteen

**CORAM : HON'BLE MR. R. RAMANUJAM, Member (A)
HON'BLE MR. P. MADHAVAN, Member (J)**

Divya Kondaveeti,
Daughter of Ravindhar Reddy,
T.R.T.-81, Behind Shivam Temple,
Vidya Nagar, Hyderabad 500044.Applicant/Applicant

By Advocate M/s. T. S. Rajamohan

Vs

Union of India, rep by,
The Chairman,
Railway Recruitment Board,
No.5, Dr. P. V. Cherian Crescent Road,
Egmore, Chennai 600008.Respondent/Respondent

By Advocate Mr. K. Vijayaraghavan

ORAL ORDER**(Pronounced by Hon'ble Mr. R. Ramanujam, Member(A))**

Heard. MA for restoration is allowed.

2. The applicant has filed this OA seeking the following relief :

"To call for the records of the respondent sequel to the Centralized Employment Notice No. 3/2014 dated 11.10.2014 so far as category 36 is concerned and quash the same as illegal, besides ultra vires, unlawful, without jurisdiction and consequently direct the respondent to conduct the selection process based on the guidelines of National Council for Teacher Education dated 11.02.2011 and publish the marks obtained by the individual candidates who have appeared for the exams for the post of Teacher Group-IV Economics English Medium within the timeframe to be stipulated by this Hon'ble Tribunal."

3. The applicant is aggrieved that she was not selected to the post of Teacher Group-IV Economics after the written examination and, therefore, not called for interview and certificate verification. It is alleged that the entire process adopted by the respondents was non-transparent as they never published the key answers for the questions or the marks scored by all the candidates from which it could be understood that the selection was made only of the persons who had figured at the top of the merit list. In as much as the marks obtained by the applicant and other candidates were not revealed and the key answers was also not published, the entire process was vitiated and, therefore, the selection made in pursuance of the Annexure A7 notification dt. 11.10.2014 is liable to be set aside, it is contended.

4. The respondents have filed a reply contesting the claim of the applicant. It

is stated that the applicant belonged to the UR category for whom the minimum pass marks in written examination was 40 per cent in terms of Railway Board Circular dt. 29.10.2003. Attention is also drawn to the details of the candidates who were called for the written examination for the post of Teacher Group-IV Economics as contained at Annexure R6 RTI information provided to the applicant. It should be clear therefrom that the applicant had scored only 14.67 marks out of 100 as against much higher marks scored by the four candidates above her and 37.67 scored by the selected candidate. It is further submitted that the selected candidate has since joined the post and this OA could not be proceeded behind his back as he is a necessary party.

5. We have considered the pleadings and the submission made by the rival counsel. It is not in dispute that the applicant appeared for the written examination following her submission of application in response to Annexure A7 notification for various posts including the post of Teacher Grade-IV Economics (English medium). It was made clear in the notification itself that the selection would comprise of the single stage examination followed by interview and document verification. Evidently, the applicant had scored only 14.67 marks out of 100 as against 37.67 scored by the selected candidate. It is also a fact that the selected candidate has not been impleaded in this OA. No material is produced before us to claim that the process of evaluation of answer sheets was

flawed. As such, no case has been made out for interference by this Tribunal.

6. OA is dismissed as misconceived and frivolous.

(P. Madhavan)
Member(J)

(R. Ramanujam)
Member(A)

06.02.2019

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