

Central Administrative Tribunal
Patna Bench, Patna.
 [Circuit Bench at Ranchi]

O.A 51/1065/2018

Date of Order:- 21.12.2018

C O R A M

Hon'ble Shri J. V. Bhairava, Member [J]
HON'BLE MR. PRADEEP KUMAR, MEMBER [A]

1. Manmohan Kumar Singh, S/o late Kedar Singh, aged about 35 years, R/o Qr. No. 657/c, Bekarbandh, PO & PS-Dhanbad, District-Dhanbad-826001.
2. J.P.N. Tiwary, s/o Sri Jagdish Tiwary, aged about 40 years, Qr. No. 667-B, PO & PS-Dhanbad, District-Dhanbad-826001.
3. Samit Kumar, S/o Sri Ramesh Prasad Singh, aged about 29 years, R/o 854-B, Hill Colony, PO & PS-Dhanbad, District-Dhanbad-826001.
4. Sunil Kumar Sharma, S/o Sri vinod Kumar Sharma, aged about 27 years, R/o 756-D, Hill Colony, PO & PS-Dhanbad, District-Dhanbad-826001.
5. Mithilesh Kumar Singh, S/o Sri Deoraj Singh, aged about 25 years, R/o Section-III/B, Qr. No. 593, B.S. city, PO & PS-Bokaro, District-Bokaro.

....Applicants

By Advocate : Shri M. K. Sinha

Vs.

1. The Union of India represented through the Secretary, Ministry of Railway, Rail Bhawan, New delhi, PO & PS-New Delhi-110001.
2. The divisional Railway Manager, dhanbad Railway Division, East Central Railway, Dhanbad, PO & PS-Dhanbad-826001.
3. The Senior DPO, East Central Railway, PO & PS-Dhanbad, District-Dhanbad-826001.
4. The General Manager, East Central Railway, PO & PS-Hajipur, district-Hajipur-844101.

..... Respondents.

By Advocate : Shri P.D. Singh.

O R D E R (ORAL)

Per J.V. Bairavia, M [J] :- Heard the parties. In the instant OA, the applicants had participated in the examination conducted by the respondents for filling of the post of Ticket Examiner in PB 1 Rs. 5200-20200 + GP Rs. 2,000/- (Level-3) which was held on 24.11.2018 against 33 1/3% PR quota under Senior DCM(DHM). After the said examination, the result has been published on 06.12.2018 and 53 candidates have been declared successful. Thereafter, the Office of Sr. DPO, E.C. Railway, Dhanbad issued letter with regard to names of successful candidate which were arranged in order of their merit vide letter dated 10.12.2018 (Annexure A/3).

2. It is the case of the applicants that after publication of result of aforesaid examination on 06.12.2018, they have submitted their representation on 17.12.2018 before the DRM, E.C. Railway, Dhanbad and raised their grievance that there was discrepancy in question and answer and they were not provided fair opportunity to participate in the said examination. Therefore, they requested for re-conducting the examination. The question paper annexed at Annexure A/2 clearly indicate that there was discrepancy in the questions and answer and also printing mistake, therefore, he has prayed to cancel the result dated 06.12.2018/10.12.2018 (Annexure A/3).

3. On the other hand, learned counsel for the respondents Shri P.D. Singh submits that since the applicants had participated in the written examination and only on publication of result, the applicants have filed their representation dated 07.12.2018 i.e. after thought. There is no material on record that the representation was submitted before publication of the result.

4. Considering the above factual matrix of the OA, we are of the considered opinion that since the applicant has participated in the examination. The grievance about discrepancy in the question paper is ventilated in their representation after publication of the result cannot be considered by this Tribunal. The recruitment board/authority himself competent to decide the mode of recruitment and this Tribunal cannot enter into this.

5. In view of the above, the OA is dismissed.

[Pradeep Kumar]
Member (A)

[J. V. Bhairavia]
Member (J)

Pkl/

