

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

OA No. 889/2015

Reserved on 14.03.2019
Pronounced on: 29.03.2019

Hon'ble Ms. Nita Chowdhury, Member (A)
Hon'ble Mr. S.N.Terdal, Member (J)

Praveen Singhal,
Roll No. 2201075431
S/o Hans Raj,
Aged about 24 years,
R/o 221/21, Gali No. 9, Raj Nagar,
Gurgaon, Haryana.

... Applicant

(By Advocate: Mr. Anil Singal)

VERSUS

Staff Selection Commission,
Through its Chairman,
CGO Complex, Lodhi Road,
New Delhi.

... Respondent

(By Advocate: Mr. S.M.Arif)

ORDER

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

We have heard Mr. Anil Singal counsel for applicant and Mr. S.M.Arif, counsel for respondents, perused the pleadings and all the documents produced by both the parties.

2. In this OA, the applicant has prayed for the following reliefs:

- “(1) To quash and set aside the Annexure A-1 rejecting the Answer Sheet of the applicant for Paper-II and Awarding Zero Marks in Paper-II to the applicant whereby rejecting/cancelling his candidature.
- (2) To direct the respondents to treat candidature of the applicant as valid for Recruitment Advertisement-2014 including evaluating his paper-II, thus, allowing him to participate in process of recruitment and he be given appointment as SI/ASI against the post for which he stands

selected with all consequential benefits if he gets finally selected on the basis of his total marks.

- (3) To award costs in favour of the applicants and pass an order or orders which this Hon'ble Tribunal may deem just and equitable in the facts & circumstances of the case."

3. The relevant facts of the case are that in response to the recruitment advertisement of 2014 for the post of ASIs/SIs in various departments including Delhi Police, the applicant submitted his application and the applicant underwent the entire recruitment process of written examination as well as Physical Efficiency Test (PET) and medical examination and he was called for interview on 26.02.2015, but however he was awarded zero marks in paper-II examination which he came to know as a reply to his RTI application. Being aggrieved by awarding zero marks in paper-II, he has filed the present OA with the above stated reliefs. From the RTI reply he also came to know that his paper-II was not evaluated because he had not impressed his left thumb impression in the answer sheet. Referring to the answer sheet, counsel for the applicant vehemently and strenuously contended that it was the duty of the Invigilator to verify that all the particulars are filled in by the candidate-applicant before affixing the signature of the invigilator and therefore non-evaluation of his paper-II only on the ground that the applicant had not put his left thumb impression on the first page of the answer sheet is arbitrary and unreasonable on the part of the respondents.

4. The counsel for the respondents equally vehemently and strenuously submitted that primarily it is the duty of the applicant to ensure that he has filled in all the particulars in the front page of the answer sheet and he also brought to our notice the instructions given in the first line of the said front page of the answer sheet to the effect that

in case all the particulars are not furnished by the candidates and signatures left thumb impression is not given in the said answer sheet the answer sheet would not be evaluated and, therefore, he submitted that affixing his left thumb impression by the applicant is mandatory and as he has failed to affix his left thumb impression his answer sheet was not evaluated and he was given zero marks with respect to the said paper II; and he further submitted that as the same procedure is followed with respect to all the candidates and as such there is no hostile discrimination against the applicant. We have perused the answer sheet produced as annexure A-1 which clearly demonstrates that the applicant had failed to put his left thumb impression in the specified space, and in view of the facts and circumstances narrated above and in view of the submissions made by the counsel for the respondents, we are of the view that in case the claim of the applicant is accepted it would open flood gate of cases and there is no hostile discrimination against the applicant in the action of not evaluating paper II by the respondents. As such there is no ground for interfering with the action of the respondents, accordingly OA is dismissed. No order as to costs.

(S.N.Terdal)
Member (J)

(Nita Chowdhury)
Member (A)

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