

**Central Administrative Tribunal
Principal Bench**

OA No. 1970/2014

New Delhi, this the 28th day of March, 2019

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

Sh. Pravash (Tax Assistant)
Aged around 30 years
S/o Shiv Kumar
R/o 282, Khera Khud
Delhi – 110082.

....Applicant
(None)

Versus

1. Union of India
Through Secretary, Ministry of Finance
Department of Revenue, North Block
New Delhi – 110 001.
2. Commissioner of Income Tax
(Examination), Delhi –IX
Civic Centre, New Delhi.
3. Joint Commissioner of Income Tax
Range-27 & JCIT (Exam), New Delhi.

....Respondents
(By Advocate : Dr. Ch. Shamshuddin Khan)

ORDER (ORAL)

Ms. Nita Chowdhury, Member (A):

There is no appearance on behalf of applicant today. Even on previous date i.e. 18.03.2019, nobody appeared for applicant. On that day, learned counsel for respondents stated that the applicant appeared in the departmental exam in 2013, and as per the result, he only qualified two papers and failed in two papers and had obtained less than the qualifying marks in the said examination. Hence, no case is made out for appointment of the applicant and the last opportunity was granted to him to plead his case and this matter was

directed to be listed as “Part-Heard” for today. In view of the above, we proceed to adjudicate this case by invoking the provisions of Rule 15 of Central Administrative Tribunal (Procedure) Rule, 1987 and accordingly, heard the learned counsel for respondents.

2. This OA has been filed by the applicant seeking following reliefs :-

- “(a) To call for records of the case, specifically the answer sheets with regard to Paper-II and Paper-IV.
- (b) To direct rectification of the impugned result dated 19.12.2013 in pursuance of the records called.
- (c) Consequent to relief (b) and in case the applicant is held to clear the examination, direct the respondents to consider the case of the applicant for promotion to the post of UDC along with all consequential benefits such as seniority, pay etc.;
- (d) Award the costs of the application; and
- (e) Pass such further order or orders with this Hon’ble Tribunal may deem fit and proper in the facts and circumstances of the present case.

3. Learned counsel for respondents today also reiterated the aforesaid statement.

4. He further points out that the applicant of this OA, Sh. Pravash appeared for the Departmental Examination for Ministerial Staff Examination, 2013 in four papers and he failed to qualify in two papers. Thus, he was not eligible. This candidate gave the representation for re-checking all his answer sheets of paper 2 and 4 and the Joint Commissioner of Income Tax, in charge of the examination had disposed of his representation vide Memorandum dated 24.02.2014, in which it was found that there was no mistake in re-totaling and the result as declared was final. Hence, all the grievances of the applicant had been addressed by the respondents themselves.

5. In view of the detailed description of marks obtained by the applicant of this OA, as stated in their counter affidavit and which have not been controverted by way of a rejoinder affidavit. We do not find any merit in this OA and hence dismiss the same. There shall be no order as to costs.

(S.N. Terdal)
Member (J)

(Nita Chowdhury)
Member (A)

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