

**Central Administrative Tribunal
Principal Bench**

OA No.815/2019

New Delhi, this the 12th day of March, 2019

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)**

Ashish Kanchap,
Aged about 24 years,
Group 'C', Primary School Teacher,
S/o Krishan Kumar Kanchap,
H.No.8, Near Bus Stand V.P.O. Katewara,
Delhi-110039.

...Applicant

(By Advocate : Shri Omung Gupta)

Versus

1. Govt. of NCT Delhi,
Through its Principle Secretary,
Delhi Secretariat,
Delhi.
2. Delhi Subordinate Services Selection Boards,
Through its Chairman,
FC-18, Institutional Area,
Karkardooma,
Delhi-110032.

...Respondents

ORDER (ORAL)

Justice L.Narasimha Reddy, Chairman :-

The respondents issued advertisement inviting applications to select and appoint Primary Teachers of various categories. The examination in multiple choice form was held on 30.09.2018. The applicant was

awarded 103.02 marks. He has been shortlisted and was required to upload his E-dossiers.

2. This OA is filed with a prayer to direct the respondents to delete as many as six questions in the question paper, holding that key published by the respondents in respect of those questions is incorrect; and to award marks for the above six questions to the applicant. Further a direction is sought to redraw the result of the applicant after adding the six marks.

3. In the OA, each of the six questions, which according to the applicant, was not properly framed, are analysed. It is stated that the respondents published a draft key inviting objections to the six questions referred to above. Through an order dated 05.12.2018, the respondents rejected the objection raised by the applicant.

4. We heard Shri Omung Gupta, learned counsel for applicant.

5. The relief claimed in the OA is in fact objectionable. The nature of relief claimed by the applicant can be considered, if only, a declaration to the effect that the questions objected to by him were not properly framed or that the answer keys were not correct. Without seeking such a declaration, the applicant straightaway claimed for addition of marks to him. Secondly, in all fairness to the candidates, the respondents published a draft key inviting objections. The applicant raised objections to six questions and through an order dated 05.12.2018, they rejected the same. The applicant did not choose to challenge the said order.

6. We do not find any merit in the OA and the same is accordingly, dismissed.

There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

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