

**Central Administrative Tribunal
Principal Bench, New Delhi**

O.A. No.2366/2019
M.A. No.2574/2019

Tuesday, this the 13th day of August 2019

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

Ms. Anshu, age 29 years
TGT (English – Female)
Group B
d/o Sh. Ravinder Kalan
r/o H.No.165,
Near Sarvodaya Kanya Vidhalaya
Vill & PO Bakhtawarpur
Delhi - 36

..Applicant
(Mr. Kartar Singh and Mr. Satya Prakash, Advocates)

Versus

1. Chief Secretary,
Govt. of NCT of Delhi,
New Secretariat, IP Estate,
ITO, New Delhi
2. The Chairman,
Delhi Subordinate Services Selection Board
FC-18, Institutional Area,
Karkardooma, Delhi – 110 092

..Respondents

O R D E R (ORAL)

Justice L. Narasimha Reddy:

The Delhi Government issued Vacancy Notice/ Advertisement No.04/17 dated 20.12.2017 inviting applications for various posts, including the post of Trained Graduate Teacher (English) (Female), with - Post Code No.132/17. The applicant submitted her application for the said post. The

process involved conducting of examination with multiple answers. In the results published on 18.02.2019, it emerged that the applicant was not selected. This O.A. is filed with a prayer to declare that the key answers published to question Nos. 180 and 200 are incorrect.

2. According to the applicant, the correct answers for said questions are (a) & (b), whereas in the key, they were mentioned as (b) & (c). She contends that had the answers been evaluated with correct answers, she would have been awarded two marks more and was entitled to be selected, inasmuch as she lost selection by half a mark.

3. We heard Mr. Kartar Singh and Mr. Satya Prakash learned counsel for applicant at the stage of admission.

4. The selection process involved conducting of examination with multiple answers. The question Nos. 180 and 200 are as under:-

“Q. No.180. It _____ for ten days.

- (A) rained
- (B) has been rainy
- (C) is raining
- (D) was rainy

Q. No.200. The formal education has

- (A) Participants who are found in all age brackets
- (B) Well-defined set of process
- (C) No adopted strategy
- (D) None of the above”

5. The applicant contends that the correct answers for these questions are (a) & (b) respectively. According to her, correct answers are (b) & (c) respectively.

6. It is not in dispute that the key was published by the respondents soon after the examination was conducted. If the applicant has any objection as to the accuracy of the answers for the questions referred to above, she was expected to submit a representation, duly furnishing the relevant material. The respondents have evolved a procedure, whereunder the objections so received are forwarded to the experts and depending on the opinion tendered by them, necessary corrective steps are taken.

7. In the instant case, the examination was conducted on 08.09.2018 and there is nothing on record to disclose that the applicant made any representation or objection in this behalf. The results were declared on 18.02.2019. At least at that stage, the applicant ought to have approached the Tribunal or the respondents, ventilating her grievance. By this time, the selections have already taken place and valuable rights have accrued to the selected candidates.

8. Further, the Tribunal cannot sit as an appellate authority as to the accuracy of the answers to questions set for the selection of candidates, unless they are demonstrably and patently wrong.

9. We do not find any merit in this O.A. It is accordingly dismissed. There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

August 13, 2019
/sunil/