

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

OA No. 3734/2014

This the 17th day of September, 2019

**Hon'ble Sh. Pradeep Kumar, Member (A)
Hon'ble Sh. Ashish Kalia, Member (J)**

Amit Rana (Open UR)
Recruit SI (Ex.) in Delhi Police,
Recruitment -2012
Roll No. 2201047730
Aged about 24 years
S/o Sh. Subhash Chander
R/o H.No. 1236/6, Gali No-3,
Ashok Vihar, Court Road,
Sonapat, Haryana

... Applicant

(By Advocate: Sh. Anil Singal)

VERSUS

1. Staff Selection Commission
Through its Chairman,
C.G.O Complex, Lodhi Road,
New Delhi-110003
2. Commissioner of Police,
PHQ, IP Estate, New Delhi.

... Respondents

(By Advocates: Sh. S.M. Arif with Ms. Shabnam Perween
for R-1 and Sh. Amit Anand for R-2)

ORDER (ORAL)

Hon'ble Sh. Ashish Kalia, Member (J):

In the present OA, in pursuance to the
advertisement issued by the SSC for the recruitment to

the post of Sub-Inspectors (Executive) in Delhi Police, 2012, the applicant had participated and he had been alleged to be guilty of using unfair means in the said examination.

2. The impugned order (Show Cause Notice) has been passed by the respondents on 27.06.2014 stating, therein, as under:-

“5. Whereas incontrovertible and reliable evidence has emerged during such scrutiny and analysis that Shri AMIT RANA had resorted to malpractice/unfair means in the said papers in association with other candidate/candidates. (as per list annexed).”

The applicant had submitted a reply on 11.07.2014 to the above show cause notice (Annexure A-2). Till date, the applicant has not been informed about the outcome of his representation.

3. Learned counsel for applicant has further submitted that in terms of the order passed on 03.11.2014 by the Single Bench of Hon'ble Delhi High Court in the matter of **Mukesh Vs. Union of India & Ors.** and on 18.12.2018 by the Division Bench of Hon'ble Delhi High Court in the matter of **Sandeep Kumar Vs. Union of India & Ors.**, the instant OA needs to be allowed.

4. This Tribunal issued notice to respondents and they have filed their reply.

5. We found that the applicant's candidature had been cancelled by the SSC as per the reply submitted by the Respondent No. 2.

6. In the reply filed by the SSC, they submitted that they had conducted Post Examination Scrutiny/Analysis of performance of the candidates in the written examination Paper - I and II, with the help of Experts. A discrepancy was found and an expert opinion was sought for. On that basis, a decision has been taken to take action against the applicant, herein.

7. After hearing both the sides and on perusal of record, we are of the view that representation made by the applicant is still pending which shall be decided by the respondents within a period of six weeks from the date of receipt of certified copy of this order.

8. In view of above, this OA is disposed of. In case the grievance still subsists, the applicant may re-approach this Tribunal for redressal of his case. No order as to costs.

(Ashish Kalia)
Member (J)

/akshaya/

(Pradeep Kumar)
Member (A)