

**Central Administrative Tribunal
Principal Bench**

**OA No. 2800/2019
MA No. 3061/2019**

New Delhi, this the 18th day of September, 2019

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

Mudit Bhardwaj (Working as Inspector)
Recruitment/GP. B,
Age-29 yrs.,
S/o Sh. Sunil Kumar, R/o Pocket-B, 123-D,
MIG Flats, Dilshad Garden, New Delhi.

.... Applicant.

(By Advocate : Mr. U. Srivastava with Mr. Saurabh Saxena)

Vs.

1. The Staff Selection commission through its Chairman,
Block No. 12, CGO Complex, Lodhi Road,
Near JLN Stadium, New Delhi.
2. The Dy. Secretary (Examination),
Staff Selection Commission (NR),
Block No. 12, CGO Complex, Lodhi Road, New Delhi.
3. Union of India through the Secretary,
Department of Personnel & Training, North Block,
Central Secretariat, New Delhi – 110001.

... Respondents.

(By Advocate : Mr. Y. P. Singh)

: O R D E R (ORAL) :

Justice L. Narasimha Reddy, Chairman:-

MA No. 3061/2019

The applicant took part in the examination conducted by Staff Selection Commission (SSC) for various posts. He gave

option for the post of Inspector (Central Excise) and Assistant in the Central Secretariat Service (CSS). As a result of his performance in the written test and interview, he has been selected for the post of Inspector (Central Excise). The applicant contends that he was not selected for the post of Assistant in the CSS, on account of minor mistake in filling the relevant form and he was awarded zero marks in the module 3 i.e. for PPT. He claims to have made a representation on 13.08.2018 in this behalf. Alleging that the respondents did not take any steps on the representation made by him he filed this OA. Since there is delay of 699 days, he filed MA No. 3061/2019, with a prayer to condone the same.

2. We heard Mr. U Srivastava with Mr. Saurabh Saxena, learned counsel for the applicant and Mr. Y.P. Singh, learned counsel for the respondents.

3. The delay involved is of 699 days, and even this is reckoned from the date on which the applicant submitted his representation. On 13.10.2015, when he got a reply from the respondents about his non selection as Assistant in CSS. No steps were taken at that time and the applicant had also joined to the post of Inspector (Central Excise). Four years thereafter, he is filing this OA. The representation itself was

made 03 years after the cause of action had arisen. The reason mentioned by the applicant is that his father suffered from Cancer disease. Even if it is true, it did not come in the way of his discharging duties as Inspector (Central Excise), but is taken as ground for condonation of delay. The issue cannot be reopened at this stage. The applicant is already employed.

4. We do not find any basis to condone the delay. MA No. 3061/2019 is accordingly dismissed. As a result, the OA No. 2800/2019 is also dismissed. There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

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