

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

**C.P. No. 195/2019
with
O.A. No. 1069/2018**

This the 30th day of September, 2019

**Hon'ble Mr. A.K. Bishnoi, Member (A)
Hon'ble Mr. R.N. Singh, Member (J)**

Vadhiya Pareshkumar Babubhai
Aged about 32 years
Son of Shri Babubhai Vadhiya
R/o Lathodra (New Plot)
Vaya Malia Hatina Taluka Mangrol
Near Loknath Amrutalyam,
Jaunagadh-362245
Mob. No.: 9925095750

...Petitioner

(By Advocate: Sh. Tanveer Ahmad for Sh. Javed Akhtar)

VERSUS

1. Sh. Ashim Khurana,
Chairman, Staff Selection Commission,
Ministry of Personnel, Public Grievances and Pension,
Block No. 12, CGO Complex,
Lodhi Road, New Delhi-110032
2. Sh. Kishor B. Jagtap,
Regional Director, Staff Selection Commission,
1st Floor, South Wing Partishta
Bhawan, (Old CGO Building) 101,
M.K. Road, Mumbai-400020

...Respondents

(By Advocate: Sh. Gyanendra Singh)

ORDER (Oral)

Hon'ble Mr. R.N. Singh, Member(J):

Heard the counsels for parties.

2. The present CP has been filed alleging non-compliance of the order dated 13.03.2018 in OA No. 1069/2018. The operative portion of the order reads as under:-

“Heard learned counsel for the applicant.

Issue notice to the respondents.

Mr. Gyanendra Singh, learned counsel appears and accepts notice on behalf of the respondents.

The issue here is only limited to the answer in question no. 95. It is the contention of counsel for applicant that the first answer key published by the respondents in regard to Question no. 95 was 'Anekta'. Later on, the respondents published another answer key in regard to Question No. 95, reply to which was stated as 'Vividhta'.

Counsel for respondents is directed to seek instructions on the following issues :-

(i) Which is the correct answer and;

(ii) Basing on which answer key the final result has been declared by the respondents.

List the matter on 26.03.2018.

*Order **Dasti.**”*

3. In response to the notice issued by this Tribunal in the aforesaid CP, the respondents have filed their compliance affidavit, in which para 4 and 5 reads as under:-

“4. That the Answering Respondent most humbly submit that with regard to Question No. 95 (Question Booklet Number-999ML3 with Serial No. YG1017767 under Booklet Code AP-2013) Constable (GD) 2013 Exam which in review under present OA, it has been

found that no representation either from the Petitioner of present OA, i.e., Shri Vadhiya Pareshkumar Babubhai or from other candidates were received during the time specifically given by the Commission for inviting representations. In the tentative answer key, for Question 95 answer was option 'A' (Vividhta) only which was not taken up for review by the Subject Experts and option 'A' (Vividhta) was treated as final answer key. The answer scripts of candidates were processed accordingly.

5. That the Commission gives opportunity to the candidates for challenging/representing against the tentative Answer Keys of the Questions immediately after the examination and takes into consideration all challenges so received with the help of Subject Experts. The final Answer Keys are decided after such reviews before the same are taken for evaluation of the responses of the candidature for their scores. If no challenge/representation is received, the tentative Answer Keys are taken as final Answer Keys and further processing is done accordingly."

4. We have perused the pleadings on record and also considered the submissions made on behalf of the parties. We are of the view that there was no act of disobedience of the directions of the Tribunal on the part of the respondents.

5. Accordingly, CP is closed. Notices are discharged.

6. List the OA No. 1069/2018 on 09.12.2019.

(R.N. Singh)
Member (J)

(A.K. Bishnoi)
Member (A)

/akshaya/