

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION No.13/2015

Date of Decision: 03.07.2019

CORAM: R. VIJAYKUMAR, MEMBER (A)
RAVINDER KAUR, MEMBER (J)

Mr. Mahendra Prasad
Aged 43 Years, Occ-Ex Air Force,
Residing at Flat No.106,
A Wing, Ozone Complex,
Sant Nagar, Lohegaon,
Pune – 411 047. *Applicant*

(By Advocate Ms. Shiny Roy, proxy counsel for Shri Arun Kumar Roy)

Versus

1. Union of India through its Secretary,
Govt. of India,
Department of P&T Ministry of Personnel,
Public Grievances & Pensions,
Block No.12, Kendriya Karyalaya Parishar,
New Delhi – 110 003.

2. Staff Selection Commission,
Through its Chairman,
Govt. of India, Department of P&T
Ministry of Personnel, Public Grievances
& Pensions, Block No.12,
Kendriya Karyalaya Parishar,
Lodhi Road, New Delhi – 110 003.

3. Staff Selection Commission,
Through its Regional Director (WR), Mumbai
Old CGO Building, 1st Floor,
Pratishtha Bhawan, South Wing,
Maharshi Karve Road,
Mumbai – 400 020. *Respondents*

(By Advocates Shri V.B. Joshi alongwith Shri P. Khosla)

ORDER (ORAL)

Per : Shri R. Vijaykumar, Member (A)

The applicant appeared in the Combined Graduate Level Examination conducted by the Staff Selection Commission in the year 2011 which comprises Tier I and Tier II papers followed by an interview. He obtained his OMR Answer Sheet with great difficulty in November, 2011 and then issued a legal notice, among other representations to the respondents in his letter No.AKR/02/13 dated 03.03.2013 alleging malafides by which he claims that he was awarded lower marks in one of the papers and also in the interview.

2. The respondents do not appear to have looked into the details of his legal notice and provide him with a detailed reply which could have been adjudicated by this Tribunal. The various affidavits filed in this OA do not therefore provide any clarity to the issue. Such clarity can only come by way of a reasoned and speaking order passed by the respondents in reply to his notice/representation, explaining exactly what transpired in his case and how he fared with reference to the other

successful candidates and therefore, failed to get selected.

3. In the aforesaid circumstances, directions are issued to Respondent No.2 to consider the legal notice dated 03.03.2013 of the applicant and to pass a reasoned and speaking order covering every aspect of the examination participated in by the applicant and the comparison thereof by which he was declared unsuccessful and to pass such orders within six weeks of receipt of a certified copy of these orders. The orders shall be communicated to the applicant within two weeks thereafter.

4. The Original Application is accordingly disposed of as above. MA No.115/2015 also stands closed. No order as

(Ravinder Kaur)
Member (J)

(R. Vijaykumar)
Member (A)

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06/7/19

