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Central Administrative Tribunal, Principal Bench

Original Application No.2794 of 2003

New Delhi, this the 5th day of July, 2004

Hon'ble Mr. Justice V.S. Aggarwal, Chairman

Hon'ble Mr. S.A. Singh, Member (A)

1. Dr. Atam Prakash,
S/o Shri Rameshwar Singh,
C/o WZ-612, Nangal Raya,
Delhi-46
2. Dr. Manoj Kumar Agarwal,
S/o Shri Srinath Mal Agarwal,
C/o A-29, Lok Vihar, Pitampura,
Delhi
3. Dr. Rajinder Beniwal,
S/o Shri Jailal Singh,
C/o A-29, Lok Vihar, Pitampura,
Delhi
4. Dr. Devinder Singh,
S/o Shri Rattan Singh,
C/o A-29, Lok Vihar, Pitampura,
Delhi.

...Applicants

(By Advocate: Mrs. Harvinder Oberoi)

Versus

1. Govt. of NCT of Delhi,
(Through its Chief Secretary),
I.P. Estate, New Delhi
2. Principal Secretary,
Department of Health and Family Welfare,
Govt. of NCT of Delhi,
I.P. Estate, New Delhi
3. Director of Health Services,
Govt. of NCT of Delhi,
I.P. Estate, New Delhi

....Respondents

(By Advocate: Shri Vijay Pandita)

O R D E R (ORAL)

Justice V.S. Aggarwal, Chairman

By virtue of the present application, the applicants seek quashing of the order cancelling the selection held on 9.9.2003 and to direct the respondents to declare the result of the selection so held.

JS Ag

2. Some of the facts which would precipitate the controversy can conveniently be stated.

3. The Government of National Capital Territory of Delhi had invited applications to fill up certain posts including Junior Specialists in Orthopaedics. The total posts advertised were six. Five were meant for OBC candidates and one for S.T. candidate. The interview was held on 9.9.2003. The grievance of the applicants is that without valid reasons, the results have been cancelled and hence the present application.

4. In the reply filed, the petition has been contested.

5. As directed by this Tribunal, the respondents have produced the relevant record for perusal of this Tribunal.

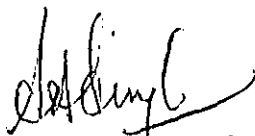
6. We have perused the said record. It reveals that the Interview Board while interviewing the candidates, in certain cases did not give any marks. In some cases, only grading was given and in some cases, only ranking was indicated. No marks had been assigned to four candidates. Thus it is obvious that there was no proper grading or marking of the selected candidates. It is in this backdrop that the interview/selection had to be cancelled and fresh interview letters had been issued.


7. At this stage, learned counsel for the applicants



pointed that even if fresh selection was to be held, it should be confined to the applicants who had applied as a result of the original advertisement. Learned counsel for respondents also states that it is being confined to only those candidates.

8. Under these circumstances, we find no reason to quash the impugned order cancelling selection held on 9.9.2003 but we make it clear that while new selection is held, it should be confined to the applicants who originally had applied in pursuance of the advertisement. O.A. is disposed of.


(S.A. Singh)
Member (A)


(V.S. Aggarwal)
Chairman

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