
(2020) 12 CAT CK 0009
In the Central Administrative Tribunal
Case No : Original Application No. 1962 Of 2020

Divya & Others

APPELLANT

Vs

Union Of India & Others

RESPONDENT

Date of Decision : 02-12-2020

Acts Referred:

Citation : (2020) 12 CAT CK 0009

Hon'ble Judges : Pradeep Kumar, Member (A); R.N. Singh, Member (J)

Bench : Division Bench

Advocate : Kaushal Yadav, Sumedha Sharma

Final Decision : Dismissed

Judgement

R.N. Singh, Member (J)

1. The applicants, herein, with other candidates have applied for recruitment to the post of Constable (Executive) in Delhi Police Examination, 2020,

for which an advertisement was published by Staff Selection Commission. The candidature of the applicants herein has been rejected on the ground

that they had submitted multiple applications for the same post in the same recruitment notice.

2. Feeling aggrieved with the cancellation of their candidature, the applicants have approached this Tribunal as computer based test for said

recruitment is being held during the period 27.11.2020 to 04.12.2020.

3. Ms. Sumedha Sharma, learned counsel appears for Respondent No. 1 and Ms. Esha Mazumdar, learned counsel appears for respondent No. 2 on

advance information.

4. The respondents opposed the OA. Ms. Sumedha Sharma, learned counsel for respondent No. 1 has drawn our attention to page No. 56 wherein

para 20 contain important instructions to the candidates, sub para 6 there reads as under:-

“(6) Only one online application is allowed to be submitted by a candidate for the Examination. Therefore, the candidates are advised to exercise due diligence at the time of filling their online Application Forms. In case, more than one applications of a candidate are detected, all the applications will be rejected by the Commission and his/her candidature for the examination will be cancelled. If a candidate submits multiple applications and appears in the examination (at any stage) more than once, his/her candidature will be cancelled and he/she will be debarred from the examinations of the Commission as per rules.”

The respondents plead that it is strictly in terms of this stipulation that multiple applications cannot be filed and when this has come into notice of SSC, the candidature has been cancelled and it will not be correct to allow the candidates to write exam even on provisional basis.

5. Matter has been heard at admission stage.

6. The stipulations and the conditions that one candidate is required to file one application only, is very clearly specified in terms of para 20 of sub para 6 of the relevant recruitment advertisement (para 4 supra). The action by the respondents when they cancelled the candidature on this ground alone, is strictly in accordance with such stipulation which was duly notified in the advertisement itself, when it came into light that the applicants in the instant OA have submitted multiple applications.

7. It is admitted by the learned counsel for the applicants also that the applicants had submitted two applications each.

8. In view of the admitted fact, the applicants claimed that the same has happened due to technical hitch.

9. In view of the stipulations that multiple applications cannot be filed and if filed, it may lead to cancellation of candidature, the action by Respondents in instant case, cannot be faulted.

10. The pleas made by Applicants that some other candidate, who had also filed multiple applications, for the same post in the same recruitment, has been issued the admit card, and applicants cannot be discriminated, is of no help to the applicants.

Reason is that if an error has happened in some other case, it cannot be a reason

to repeat the same error in other cases also on account of parity.

11. The Tribunal does not find any merit in this OA and the same is dismissed at admission stage. No order as to costs.