

---

**(2020) 03 CAT CK 0003**

**In the Central Administrative Tribunal**

**Case No :** Original Application No. 607 Of 2020, Miscellaneous Application No. 794 Of 2020

Rahul Kumar And Others

APPELLANT

Vs

Union Of India And Others

RESPONDENT

---

**Date of Decision :** 02-03-2020

**Acts Referred:**

**Citation :** (2020) 03 CAT CK 0003

**Hon'ble Judges :** L. Narasimha Reddy, J;A. K. Bishnoi, Member (A)

**Bench :** Division Bench

**Advocate :** R. V. Sinha, Anupama Bansal

**Final Decision :** Dismissed

---

## **Judgement**

L. Narasimha Reddy, J

1. The applicants state that they took part in the Civil Service Examination (CSE) more than once, and on account of uncalled for and arbitrary changes in the pattern of examination, few days before it took place, they were not be successful. They have provided the instances of changes in the pattern of examination that had taken place in the years 2013, 2014 and 2015. On this basis, they claim the relief in the form of compensatory appearance in the forthcoming CSE.

2. The 1st applicant argued the case in person. He has elaborated the facts and stated that, the notifications issued by the UPSC year after year indicate the pattern of examination and syllabus and the students get prepared accordingly. He contends that the UPSC has altered the pattern of examination just few weeks before the date of examination in the year 2013. He submits that similar exercises were undertaken in the next two years and the result was that the hard work, they have put in for preparation of the examination has gone waste and those who attempted almost in a guess work, got the benefit.

3. Shri R. V. Sinha, learned counsel for the respondents, who took notice at the

admission stage, raised objection as to the maintainability of the OA. He contends that the examinations were held long ago and the selections were already completed and at this stage, the applicants cannot claim any relief and that too in the form of compensatory attempts.

4. It is stated that the applicants have exhausted all the attempts in the CSE, but were not successful. It is true that there are instances of the UPSC coming forward with the changes in the pattern of examination, just before the date of examination. Such a course would certainly impact the performance of the students in a competitive examination like CSE. Any change is bound to adversely affect the chances of many. The candidates prepare for the examination, keeping in view the syllabus and the pattern thereof, mentioned in the notification. It needs not only absolute attention but also considerable time. The change of pattern of the examination in the last minute is totally uncalled for.

5. Things would have been different altogether, had the applicants approached when such a change was indicated. Several years have elapsed since those changes have taken place, and the applicants have taken part in the CSE without any demur. They have also exhausted all the attempts. Granting of any relief at this stage, that too, in the form of compensatory attempts, would lead to several complications. Lakhs of candidates who were not successful in those examinations would get opportunity, and that, in turn, would naturally affect the career of those who attempted the examination according to changes. A pell-mell like situation would arise.

6. We do not find any merit in the OA. It is accordingly dismissed.

Order 'Dasti'.