
(2012) 09 KL CK 0080
In the High Court Of Kerala
Case No : O.P. (CAT) No. 2819 of 2012 (Z)

Rajesh C.,

APPELLANT

Vs

The Union of India and Others

RESPONDENT

Date of Decision : 03-09-2012

Acts Referred:

Citation : (2012) 09 KL CK 0080

Hon'ble Judges : Manjula Chellur, J;A.M. Shaffique, J

Bench : Division Bench

Advocate : P.C. Sebastian and Sri. Martin G. Thottan, for the Appellant; P. Parameswaran Nair, ASG of India, for the Respondent

Final Decision : Dismissed

Judgement

Manjula Chellur, Ag. C.J.

1. Heard learned counsel for the petitioner. Petitioner is aggrieved by the order of the Tribunal declining to grant the interim order of permission permitting the petitioner to appear in the Departmental Examination provisionally subject to the result of the Original Application. The main grievance seems to be that such benefit was extended to similarly situated applicants like the petitioner by an order dated 22.08.2012, but it came to be rejected in the case of the petitioner on 31.08.2012 by the very same Division Bench.
2. The learned Assistant Solicitor General submits, in order to obtain Hall Ticket to appear for the examination, some procedures have to be followed, like Optical Mark Recognition (for short "OMR") sheet to be obtained from the agency who conducts the examination which is situated at Delhi, then the same has to be passed on to the candidate who has to fill up the same; again send it back to the agency so as to prepare Hall Ticket after scrutinising the details in the OMR sheet.
3. According to the learned counsel for the petitioner, the same Bench adopted two methods i.e., in some cases it granted the interim order and in some cases it declined to extend the said benefit to the candidates. The submissions of the

learned Assistant Solicitor General clarifies the situation that the Division Bench of the Tribunal declined to extend such benefit, as the applicant came late which would come in the way of preparing the Hall Ticket, i.e. shortage of time for preparing the Hall Ticket as the procedure requires above exercise. We also note that though the applicant was aware of the situation in July itself, he approached the Tribunal only on 25.08.2012. Therefore, he has to blame himself for the situation having come to the Tribunal at the last minute.

We decline to interfere in the above circumstances. Accordingly, the Original Petition is dismissed.