

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K. SURENDRA MOHAN
&
THE HONOURABLE MR. JUSTICE SHAJI P. CHALY

TUESDAY, THE 13TH DAY OF OCTOBER 2015/21ST ASWINA, 1937

OP (CAT).No. 161 of 2015 (Z)

OA 1201/2012 of CENTRAL ADMINISTRATIVE TRIBUNAL,
ERNAKULAM BENCH DATED 12-06-2015

PETITIONER:

SONI BOSE D., D/O. CHANDRA BOSE,
C.D.BHAVAN, KILIKOLLUR P.O.,
KOLLAM - 691 004.

BY ADVS. SRI. A. JAYASANKAR
SRI. C. V. MANUVILSAN
SRI. MANU GOVIND

RESPONDENTS:

1. UNION OF INDIA REPRESENTED BY
THE SECRETARY, DEPARTMENT OF SPACE,
ANTARIKSH BHAVAN, NEW BEL ROAD,
BANGALORE-560231.
2. LIQUID PROPULSION SYSTEM CENTRE,
INDIAN SPACE RESEARCH ORGANIZATION,
VALIAMALA P.O., THIRUVANANTHAPURAM-695 547
3. ANUSHREE P., JUNIOR HINDI TRANSLATOR,
LIQUID PROPULSION SYSTEM CENTRE,
INDIAN SPACE RESEARCH ORGANIZATION,
VALIAMALA P.O., THIRUVANANTHAPURAM-695 547
4. SREEJA R., JUNIOR HINDI TRANSLATOR,
LIQUID PROPULSION SYSTEM CENTRE,
INDIAN SPACE RESEARCH ORGANIZATION,
VALIAMALA P.O., THIRUVANANTHAPURAM-695 547
5. NEETHU P.T., JUNIOR HINDI TRANSLATOR,
LIQUID PROPULSION SYSTEM CENTRE
INDIAN SPACE RESEARCH ORGANIZATION,
VALIAMALA P.O., THIRUVANANTHAPURAM-695 547

6. VIJAY SEKHAR T., JUNIOR HINDI TRANSLATOR,
LIQUID PROPULSION SYSTEM CENTRE,
INDIAN SPACE RESEARCH ORGANIZATION,
VALIYAMALA PO, THIRUVANANTHAPURAM-695 547
7. CIMY ASAF, JUNIOR HINDI TRANSLATOR,
LIQUID PROPULSION SYSTEM CENTRE,
INDIAN SPACE RESEARCH ORGANIZATION,
VALIYAMALA PO, THIRUVANANTHAPURAM-695 547
8. SMITHA J.M., JUNIOR HINDI TRANSLATOR,
LIQUID PROPULSION SYSTEM CENTRE,
INDIAN SPACE RESEARCH ORGANIZATION,
VALIYAMALA PO, THIRUVANANTHAPURAM-695 547
9. MANISH MANEKAR, JUNIOR HINDI TRANSLATOR,
LIQUID PROPULSION SYSTEM CENTRE,
INDIAN SPACE RESEARCH ORGANIZATION,
VALIYAMALA PO, THIRUVANANTHAPURAM-695 547
10. LEENA B.L., JUNIOR HINDI TRANSLATOR,
LIQUID PROPULSION SYSTEM CENTRE,
INDIAN SPACE RESEARCH ORGANIZATION,
VALIYAMALA PO, THIRUVANANTHAPURAM-695 547
11. VIKAS KUMAR SHAW, JUNIOR HINDI TRANSLATOR,
LIQUID PROPULSION SYSTEM CENTRE,
INDIAN SPACE RESEARCH ORGANIZATION,
VALIYAMALA PO, THIRUVANANTHAPURAM-695 547
12. DEEPALAKSHMI R., JUNIOR HINDI TRANSLATOR,
LIQUID PROPULSION SYSTEM CENTRE
INDIAN SPACE RESEARCH ORGANIZATION,
VALIYAMALA PO, THIRUVANANTHAPURAM-695 547
13. ANUPA R., JUNIOR HINDI TRANSLATOR,
LIQUID PROPULSION SYSTEM CENTRE,
INDIAN SPACE RESEARCH ORGANIZATION,
VALIYAMALA PO, THIRUVANANTHAPURAM-695 547
14. RAJESH KUMAR, JUNIOR HINDI TRANSLATOR,
LIQUID PROPULSION SYSTEM CENTRE,
INDIAN SPACE RESEARCH ORGANIZATION,
VALIYAMALA PO, THIRUVANANTHAPURAM-695 547
15. KUMAR ASHOK HARSHAVARDHAN,
JUNIOR HINDI TRANSLATOR,
LIQUID PROPULSION SYSTEM CENTRE,
INDIAN SPACE RESEARCH ORGANIZATION,
VALIYAMALA PO, THIRUVANANTHAPURAM-695 547

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16. SHALINI SASI, JUNIOR HINDI TRANSLATOR
LIQUID PROPULSION SYSTEM CENTRE,
INDIAN SPACE RESEARCH ORGANIZATION,
VALIAMALA PO, THIRUVANANTHAPURAM-695 547

R1,R2 BY ADV. SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL

THIS OP (CAT) HAVING COME UP FOR ADMISSION ON 13-10-2015, THE COURT
ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1	:	TRUE COPY OF THE ORIGINAL APPLICATION NO.1201/2012 FILED BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL , ERNAKULAM BENCH WITH ANNEXURES.
ANNEXURE A3		COPY OF THE LETTER DATED 30.03.2012 FROM THE FIRST RESPONDENT TO THE PETITIONER.
ANNEXURE A4		COPY OF THE LETTER DATED 07.05.2012 FROM THE 2ND RESPONDENT TO THE PETITIONER.
ANNEXURE A1		COPY OF THE OTIFICATION DATED 10.06.2011 PUBLISHED BY THE 2ND RESPONDENT
ANNEXURE A2		COPY OF THE CALL LETTER DATED 09.11.2011 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER.
ANNEXURE A5		COPY OF THE INFORMATION DATED 01.02.2012 PROVIDED BY THE 2ND RESPONDENT TO THE PETITIONER.
ANNEXURE A6		COPY OF THE PROCEEDINGS OF THE APPELLATE AUTHORITY DATED 12.03.2012.
ANNEXURE A7		COPY OF THE APPLICATION DATED 06.06.2012 SUBMITTED BEFORE THE 2ND RESPONDENT
EXHIBIT P2	:	A TRUE COPY OF THE REPLY STATEMENT WITH ANNEXURES.
ANNEXURE R1		SELECT PANEL FOR UR CANDIDATES
ANNEXURE R2		SELECT PANEL FOR OBC CANDIDATES
ANNEXURE R3		LETTER TO THE HON'BLE PRIME MINISTER BY THE PETITIONER.
ANNEXURER4		REPLY TO THE PETITIONER.
ANNEXURE R5		LETTER NO LPSC/ADMN/RTI/2012-251
ANNEXURE R6		LETTER NO. PPR: D: RTI:2012:2019
ANNEXURE R7		LETTER NO. LPSC/ADMN/RTI/265
ANNEXURE R8		PROCEEDINGS OF THE APPELLATE AUTHORITY, RTI.
ANNEXURE R9		APPLICATION BY THE APPLICANT UNDER RTI
ANNEXURE R10		LETTER NO. CPIO:DOS:RTI:2012:2320

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EXHIBIT P3 : A COPY OF THE ORDER DT 12-6-2015 IN OA.NO.1201/2012.

RESPONDENT(S)' EXHIBITS

/TRUE COPY/

P.A. TO JUDGE.

K. SURENDRA MOHAN & SHAJI P. CHALY, JJ.

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Dated this the 13th October, 2015.

JUDGMENT

Surendra Mohan, J.

The petitioner was an applicant for selection and appointment to the post of Junior Hindi Translator. She had applied for the post, pursuant to a notification issued by the second respondent. The petitioner participated in a written test that was conducted on 25.9.2011. Thereafter, she had appeared for an interview held on 10.12.2011. The allegation of the petitioner is that, though she was fully qualified and entitled to be selected and appointed to the post, persons with lesser qualifications were selected and appointed by the second respondent. Raising the above contentions, she has approached the Central Administrative Tribunal ('CAT' for short), Ernakulam Bench by filing O.A.

1201/2012. The CAT has considered the contentions of the petitioner, in the light of the stand taken by the respondents in the reply statement that was filed.

2. According to the respondents, the ISRO being a prominent Research and Development Organisation in the area of Space Research and Technology, national importance requires utmost weightage to be given to the merit of the candidates for selection to the various posts. The petitioner had participated in the written test as well as the interview but her performance did not entitle her to be selected to the post that was notified for the reason that there were other candidates more meritorious than her. Therefore, the persons who had obtained higher marks in the written test as well as interview have been selected. The Tribunal has noted that, though the petitioner had raised allegations against the selection of some of the candidates, she was not able to produce any evidence or material to support her contention that she was more meritorious than the candidates who were selected.

3. We have heard the learned counsel for the petitioner at length and have perused the documents produced before us. We notice that even before us, absolutely no material or evidence has been produced, to warrant a conclusion that any person with lesser merit than the petitioner was selected, as alleged. In the absence of any such material the contentions of the petitioner cannot be accepted. We remind us that the petitioner is a person who has participated in the selection process and has failed to get herself selected.

4. The above being the factual scenario, we find no grounds to admit this original petition or to grant any of the reliefs sought for by the petitioner. The Original Petition fails and is accordingly dismissed.

Sd/-
K. SURENDRA MOHAN
Judge

Sd/-
SHAJI P.CHALY
Judge