

IN THE ARMED FORCES TRIBUNAL, REGIONAL BENCH,  
GUWAHATI

OA 08 of 2018

Sri Gulzar Ahmed Laskar,  
S/O Sofizul Ali Laskar (ESM)  
Vill : Tupkhana Part-I,  
P.O. Arunachal,  
Dist. Cachar, Assam,  
Pin - 788025.

..... Applicant.

By legal practitioners for  
Applicant.

Mr.Sanjib Kr.Singha,  
Mr.Milon Kr Neog.

-Versus-

1. The Union of India,  
Represented by the Secretary, Ministry of Defence,  
Government of India, Raksha Bhawan, South Block,  
New Delhi-110011
2. The Chief of Army Staff,  
Sena Bhawan, Army Head Quarters,  
New Delhi-110011,
3. The Director General,  
Head Quarters Recruiting Zone,  
1 Gokhale Road, Kolkata,  
Pin 700020

..... Respondents

By legal practitioner for  
Respondents.

Brig N.Deka (Retd.), CGSC.

PRESENT

HON`BLE DR.(MRS) JUSTICE INDIRA SHAH, MEMBER (J)  
HON`BLE LT GEN GAUTAM MOORTHY, MEMBER (A)

Date of hearing :- 08.05.2018

Date of order :- 08.05.2018

O R D E R

(Dr.(Mrs.) Justice I.Shah)

1. By filing this Original Application, the applicant, who had applied for the post of SOL CLK/SKT in the Indian Army, has sought

for an order directing the respondents to re-examine the original answer sheets of the applicant and also to direct the respondent authorities to consider the case of the applicant for appointment, if found eligible.

2. The applicant appeared in the written test on 26.02.2017. The result of the written test was declared, but he was not found eligible for the post. The applicant obtained 50 out of 100 in Part-I and 32 out of 100 in Part-II as well as 20 Bonus marks being son of ex-serviceman, thereby got total 102 marks out of 200. He was shown as passed in the result, but not in merit as the cut-off mark was 129.

3. It is alleged by the applicant that he attempted 22 answers in part-I and 25 answers in Part-II examination paper, but the OMR sheet shows that he only attempted 19 answers in part-I. It is further alleged that as per the Solution Key given through the letter dated 24.11.2017, the applicant obtained 50 out of 100 in Part-I and 32 out of 100 in Part-II with additional 20 bonus marks, but on comparison of the answer sheet with answer Solution Key, the marks in Part-I should be 53 and the marks in Part-II should be 38, therefore, his total marks should be 111.

4. Heard Mr.Sanjib Kr.Singha, learned Counsel appearing on behalf of the applicant and Brig.N.Deka, CGSC, assisted by Capt.Akash Vasisth, OIC, AFT, Legal Cell, appearing on behalf of the respondents.

5. We have no reason to doubt the authenticity as well as the veracity of the examination evaluation process especially since it is a computerized process with little or no manual intervention. Be that as it may, even if the marks are increased to 111 as calculated and averred by the applicant, he still remains well below the cut-off mark of 129 and hence cannot lay claim for selection.

6. In view of the aforesaid facts, we find that this Original Application is devoid of merit.

7. Accordingly, the OA stands rejected and dismissed.

**MEMBER (A)**

**MEMBER(J)**

*GM*