

CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

O.A.No.1820/99

New Delhi: this the 16th day of September, 1999.

HON'BLE MR. S. R. ADIGE, VICE CHAIRMAN (A).

HON'BLE MR. KULDIP SINGH, MEMBER (J).

1. Aqueel Ahmad Samani, APP,
S/o Late Sh. Allah Diya,
2. Daven der Rana, APP,
S/o Sh. Hari Pal Rana.
3. Javed A. Ansari, APP,
S/o Sh. Mohd. Haneef.
4. Naresh Kumar Verma, APP,
S/o Sh. Ram Kumar Verma,
5. Ram Kumar Verma, APP,
S/o Late Sh. Shyam Parkash.
6. Ajay Kumar, APP,
S/o Sh. S. S. Mayar.

All at Directorate of Prosecution,
Govt. of NCT of Delhi.,
Prosecution Branch,
Tis Hazari Courts,

Delhi -110 054

..... Applicants.

(By Advocate: Shri B.B. Raval)

Versus

1. The Govt. of National Capital Territory
of Delhi,
5, Sham Nath Marg,
Delhi-054.
2. The Union Public Service Commission,
Dholpur House,
Shahjahan Road,
New Delhi-001.

..... Respondents.

(By Advocate: Shri Rajendra Pandita).

ORDER

HON'BLE MR. S. R. ADIGE, VICE CHAIRMAN (A).

Heard.

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2. The reliefs sought for in this OA are identical with those sought for in OA No.1731/99 Manoj Kohli & Ors. Vs. Govt. of NCT of Delhi which already stands dismissed vide order dated 27.8.99.

3. During the course of hearing, Shri Rawal cited ^{the} ruling in Dr. Sangeeta Narang & Ors. Vs. Delhi Administration & Ors. ATR 1988 (1) CAT 556) and also certain other cases referred to in para 6 of the aforesaid order dated 27.8.99 ^{that paragraph} in ~~which~~ it has been held by this very bench that those rulings provided no assistance to applicants.

4. Shri Rawal also urged that many if not all the present applicants belong to OBC category and submitted that the Tribunal should call for the record to examine whether the vacancies reserved for OBC have been filled in accordance with rules and instructions or not. In this connection, applicants in para 4.11 of the OA themselves state that on 13.5.95 Respondent No.2 (UPSC) advertised for filling up 49 vacancies of APP on regular basis against which UPSC recommended the cases of 36 candidates. It is further stated that the UPSC found no names to recommend for 6 posts earmarked of OBC category and to ^{the} best of applicants' knowledge and belief, the UPSC illegally adjusted 6 OBC candidates who came in general merit list. Thus 12 posts of OBC category remained unfilled which should be carried forward. Applicants themselves admit that OA No.1452/99 is pending adjudication before

the Tribunal on this issue, which under the circumstance does not require adjudication in the present OA.

5. For the reasons already discussed in Tribunal's order dated 27.8.99 in OA No.1731/99, the present OA is dismissed, and the interim orders passed on 20.8.99 and last extended on 10.9.99 are vacated. No costs.


(KULDIP SINGH)
MEMBER(J)


(S.R. ADIGE)
VICE CHAIRMAN (A).

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