

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

25

OA 1525/1998

New Delhi this the 14th day of November, 2002

Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J)  
Hon'ble Shri V.K. Majotra, Member (A)

Jeetendra Kumar Oswal,  
S/O Shri Madan Lal Oswal,  
R/O 9/10, Tank Road,  
Karol Bagh, New Delhi.

(None for the applicant )

..Applicant

VERSUS

1. Union of India,  
through Secretary,  
Ministry of Personnel and Public  
Grievances, North Block, New Delhi.

2. Chairman,  
Staff Selection Commission,  
Block No.12, CGO Complex,  
Lodhi Road, New Delhi.

3. Regional Director (N.R.),  
Staff Selection Commission,  
Block No.12, CGO Complex,  
Lodi Road, New Delhi.

(By Advocate Shri V.S.R. Krishna )

..Respondents

O R D E R (ORAL)

(Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J)

This case has been filed on 10.8.1998. It has been listed at Serial No.2 in today's cause list under regular matters with a caption that "matters will be taken up serially and no ~~adjournment~~ adjournment will be granted". None has appeared for the applicant even on the second call. We have accordingly proceeded to dispose of this OA in accordance with the Central Administrative Tribunal (Procedure) Rules, 1987, after hearing the learned counsel for the respondents and ~~after~~ carefully perusing the averments in OA.

2. The main relief of the applicant in this application

it may make such scheme or rules or adopt such process of selection which may not clash with the provisions contained in Article 14 and 16 of the Constitution of India having regard to the guidelines laid down by this Court from time to time in various pronouncements. In the facts and circumstances of the case we make no order as to costs. The appeals and writ petitions are allowed as indicated above".

5. Having regard to the aforesaid judgement of the Hon'ble Supreme Court in Radhey Shyam Singh's case (supra) and the facts in the present case, we find no justification to direct the respondents to prepare a merit list of successful candidates on an ~~all~~ India basis. The preparation of such <sup>a</sup> merit list will have <sup>the</sup> prospective effect i.e. after the pronouncement of the judgement of the Hon'ble Supreme Court in Radhey Shyam Singh's case (supra) dated 9.12.1996. In the present case, recruitment was held prior to this date.

6. In view of the above discussion, as we find no merit in this application. The OA is dismissed. No order as to costs.

V.K. Majotra  
(V.K. Majotra )  
Member (A)

Lakshmi Swaminathan  
(Smt. Lakshmi Swaminathan )  
Vice Chairman (J)

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