

Central Administrative Tribunal
Principal Bench

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O.A. No. 1262/95

New Delhi, this the 17th day of Jan., 1996

Hon'ble Shri B.K. Singh, Member (A)
Hon'ble Dr. A. Vedavalli, Member (A)

Shri Yogesh Deshmukh,
s/o Shri P.R. Deshmukh,
R/o Sector-III/188,
Sadiq Nagar,
New Delhi.- 110 049.

....Applicant

(By Shri J.S. Hawat, Advocate)

Versus

- 1(a) Union of India through,
Secretary of Welfare,
Shastri Bhawan,
New Delhi.
- 1(b) Union of India through the
Secretary,
Ministry of Personnel, Public
Grievance & Pensions, Department
of Personnel & Training, North Block,
New Delhi.
2. National Commission for other
Backward Classes (NCNC),
through
Secretary,
West Block-I, Wing No.3,
Second Floor,
R.K. Puram,
New Delhi- 110066.
3. Union Public Service Commission,
through the Secretary,
Union Public Service Commission,
Dholpur House,
Shahjahan Road,
New Delhi.

...Respondents

(By Madhav Panikar & V.S.R. Krishna,
counsel for the respondents)

O R D E R (Oral)

By Hon'ble Shri B.K. Singh, Member (A):

Heard the learned counsel for the parties and
perused the record of the case. It is admitted by both
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the parties that the applicant's name does not find a place among the list of successful O.B.C. candidates. It is also admitted that though he had declared himself as Kunbi an O.B.C. while filling up the form for civil services examination which caste has been notified as other backward class by the Governor of Madhya Pradesh but the notification issued by the Govt. of India, Ministry of Welfare, the caste Kunbi has been notified instead of Kunbi and hence the applicant could not get the benefit of an OBC when the result of civil services examinations 1994 was declared.

From a perusal of the record, it seems that his name was not included in the list of successful OBC candidates and he could not have been allotted a service by the Deptt. of Personnel & Training; and as such the question of sending him on training would have arisen only when he was allotted a service.

The respondents are taking steps to bring the necessary corrections in the notification issued by the Government of India, and substitute the word Kunbi by the word Kunbi. They were granted two months' time to bring the necessary corrections to grant the benefit of O.B.C. to the applicant and also to allot him a service befitting his rank in the order of merit.

The learned counsel for the respondents Shri Madhav Panikar and Shri V.S.R.Krishna state that they have no objection for a direction being issued to respondent No. 1(a) to bring the necessary corrections within two months' positively from the date of receipt of a certified copy of this order and the respondent No. 1(b) i.e. D.O.P.&T will act on the notification expeditiously

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and direct the J.P.S.C. to publish the applicant's result showing his rank in the merit list of the successful OBC candidates and D.O.P.&T will then allot him a service befitting his rank in the order of merit. The allocation of service to the applicant will be completed by respondent No. 1(b) within a period of two months on receipt of a copy of the notification by the Ministry of Welfare, Government of India i.e. respondent No. 1(a).

It is presumed that the respondents will realize the problems of the applicant, since he has been waiting for a pretty long time for grant of this relief to him. The matter requires a sense of empathy since there may be cases where junior people who might have been allotted a service are undergoing training whereas the applicant has been left out.

The learned counsel for the respondents are conscious of this fact and they undertake to get this matter sorted out as expeditiously as possible to see that the relief prayed for is granted within a period of four months.

With the aforesaid directions, this C.A. is disposed of but without any order as to costs. If the applicant still feels aggrieved, he is given liberty to agitate the matter before the competent forum for redressal of his grievance in accordance with law.


(Dr. A. Vedavalli)
Member (J)


(B.K. Singh)
Member (A)

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