

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH, NEW DELHI.

OA.No.1049/95

Dated this the 7th of June, 1995.

Shri S.R. Adige, Hon. Member(A).

Dr. A. Vedavalli, Hon. Member(J).

Shri Baroruchi Mishra,
C/o Dr. B.N. Mishra,
R/o D-II/3, Court Lane,
Rajniwas Marg, Delhi 110 054. ...Applicant

(Applicant in person)

versus

1. Union Public Service Commission,
Through its Secretary,
Dholpur House, Shahjahan road,
New Delhi 110 011.
2. Union of India,
Through its Secretary,
Ministry of Personnel, P.G. and Pension,
Department of Personnel and Training,
New Delhi.
3. The Director General,
Central Industrial Security Force,
Block No.18, C.G.O. Complex,
Lodhi Road, New Delhi 110 003. ...Respondents

By Advocate: None.

ORDER (Oral) (By Shri S.R. Adige).

In this OA, the applicant Shri Mishra has prayed for a direction to quash/cancel the respondents orders dated 26.4.95 and 14(16).5.95 'Annexure-A' and has prayed for a direction to the Union Public Service Commission to declare the result of the applicant for the Main Civil Services Examination, 1994.

2. An interim order has also been prayed for to direct the UPSC to declare the result of the applicant, and if found successful, to provisionally allow him to appear in the personality test.

3. We note that the applicant had filed an OA.932/95 praying for identical relief, which had been heard by a Divisional Bench consisting of Vice Chairman Hon. Shri A.V. Haridasan and Member(A) Shri S.R. Adige on 23.5.95.

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On that date, after hearing the arguments of the learned counsel for the applicant Shri Raj Kumar Gupta in the presence of his client for quite some time, the learned counsel for the applicant sought permission to withdraw the application with liberty to take up the matter with concerned authorities. Reserving that liberty, the application was closed as withdrawn and a copy of this order was issued dasti to the applicant.

4. The applicant, appearing in person, pressed the present OA.1049/95 today. He states that he subsequently sought to take up the matter with the concerned UPSC authorities but is unable to get a hearing from them.

5. It is well settled that once an OA seeking certain relief has been withdrawn by the applicant on his own accord, a subsequent OA seeking identical relief, cannot be pressed.

6. In the circumstances, we do not find ourselves able in law to consider this OA. However, as the applicant states that in spite of his best efforts, he has not been able to get a hearing by the officers of the UPSC, we dispose of this OA with a direction to Ist respondent 'Secretary, UPSC' to give the applicant an opportunity of being heard as expeditiously as possible, preferably before 15.6.95.

7. This OA is disposed of accordingly. No costs.

Order dasti.

A. Veda Valli
(DR. A. VEDAVALLI) 7/6/95
MEMBER (J)

S. R. Adige
(S. R. ADIGE)
MEMBER (A)

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