

8

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No. 2835/97

New Delhi, this 1st September, 1998

Hon'ble Shri T.N. Bhat, Member (J)  
Hon'ble Shri S.P. Biswas, Member (A)

Shri Hemant Kumar Akhauri  
c/o Sheopujan Ray  
Mohalla-Maharaja Hatta  
Katra, Aprah (Bhoipur), Bihar .. Applicant  
(By Advocate Shri N.M. Ojha)

versus

1. Union Public Service Commission  
through its Secretary  
Dholpur House, Shahjahan Road  
New Delhi
2. Director  
Employees Provident Fund Organisation  
9th Floor, Mayur Bhavan  
Connaught Circus, New Delhi .. Respondents

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

ORDER(oral)

Hon'ble Shri T.N. Bhat

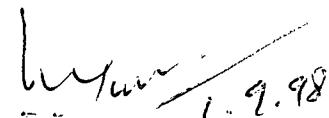
We have heard the learned counsel for the parties. On the face of it, this OA is not maintainable before this Tribunal for the simple reason that the application is directed against the judgement and order passed by the State Consumer Dispute Redressal Commission, Patna, Bihar which cannot be filed in the Central Administrative Tribunal. It however appears that the applicant is basically aggrieved against the action of UPSC and relates to non-consideration of his application for the post of Assistant Provident Fund Commissioner for which the applicant had applied in response to an advertisement.

*hmv*

(A)

2. We are of the considered view that if the applicant is aggrieved against the action or inaction on the part of UPSC, for that purpose he has to challenge that particular action. So far as the present OA is concerned, it is certainly not maintainable, and we accordingly dismiss it, granting liberty to the applicant to work out his remedy and file appropriate proceedings under the Administrative Tribunals Act, 1995, if so advised.

  
(S.P. Biswas)  
Member (A)

  
(T.N. Shat)  
Member (J)

/qtv/