

Central Administrative Tribunal  
Principal Bench: New Delhi

OA No.986/97

New Delhi, this the 13th day of August, 1997

Hon'ble Dr. Jose P. Verghese, Vice-Chairman(J)  
Hon'ble Shri N.Sahu, Member (A)

Avinash Mishra,  
s/o Sh. M.D. Mishra,  
R/o F-716, Curzon Road Apartments,  
New Delhi. ....Applicant

(By Advocate: Shri A.K. Behra)

Versus

Union of India through

1. Secretary,  
Planning Commission,  
Yojna Bhawan, Sansad Marg,  
New Delhi.
2. The Chairman,  
Union Public Service Commission,  
Dholpur House, Shahjahan,  
New Delhi. ....Respondents

(By Advocate: Mrs. Protima K. Gupta)

O R D E R (ORAL)  
[Dr. Jose P. Verghese, Vice-Chairman (J)]


The case of the petitioner is that the petitioner may be considered for promotion to the post of Senior Research Officer (Civil Engineering) in the Planning Commission since he is eligible in accordance with the recruitment rules.

It was stated on behalf of the respondents that the petitioner had filed a previous OA (OA-84/96) and by an order dated 27.2.1997 the said OA was permitted to be withdrawn and no opportunity was granted to re-file the present OA. In the circumstances, we proceeded to peruse the OA if there is any merit.


It was also stated by the counsel for the respondents that the DPC in accordance with their letter of regularisation dated 22.3.1995 has not yet taken place. It was stated that it is the Union Public Service Commission who makes the selection and no DPC is held at the instance of respondents. Since no selection has taken place under the aegis of UPSC, we find that it is fit and proper that the application of the petitioner which is already pending before the U.P.S.C. in furtherance to the above said circular, may also be considered alongwith others in accordance with the recruitment rules, while holding the selection for the post of Senior Research Officer (Civil Engineering).

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With these directions, this OA is disposed of with no order as to costs.

  
(N. Sahu)  
Member (A)

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(Dr. Jose P. Verghese)  
Vice-Chairman (J)