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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI.

O.A.No.324 of 1994

New Delhi, this the 22nd day of March, 1994.

Hon'ble Mr Justice S.K.Dhaon, Vice Chairman
Hon'ble Mr B.N.Dhoundiyal, Member(A).

Bhagwant Kishore Bhatnagar
S/O Shri D. S. Bhatnagar,
R/O C-157, New Usmanpur,
Delhi-110053. Applicant.

(in person)

vs.

Secretary,
Union of Public Service Commission, Dhaulpur House,
Shahjhan Road, New Delhi. Respondent.

(through Mr K.C.Mittal)

ORDER

JUSTICE S.K.DHAON, VICE CHAIRMAN(ORAL)

The Union Public Service Commission(U.P.S.C.) issued an advertisement for recruiting one Translator (Hindi Branch) in the Official Language Wing, Ministry of Law and Justice, Legislative Department. Apart from essential academic qualifications, the Commission notified that it was desirable that a candidate should have experience and competency in translation into Hindi or ... Statutes, Statutory rules and orders and other legal documents.

2. The petitioner came to this Tribunal with the grievance that though he fulfilled the requisite qualifications, he has not been called for interview. However, one Tara Datt Pant, who was junior to him was called. We, therefore, issued notice to the respondent and in the meantime, directed the U.P.S.C.(the Commission) to interview the applicant. We directed ^{the Commission} not to declare the result of the

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applicant till further orders.

3. The Commission has put in appearance and has filed a counter-affidavit. The relevant record too has been placed before us for our perusal.
4. On a perusal of the record, we find that the applicant in his application form stated that he held/holds the post of Copy-Holder(English-Hindi). Under the heading "nature of duties", the applicant declared that he did the work of editing, proof-reading and tallying of English and Hindi texts of various Bills, Acts, Rules and Regulations. For the verification of these assertions, the applicant had drawn the attention of the Commission to see the certificates issued by the department concerned.
5. On an examination of the application form, submitted by Tara Datt Pant, we find that he asserts that between May, 1985 and July, 1987, he has performed the work of Translator-cum-Proof Reader and between 20.7.1987 till date, he has been performing the job of a Copy Holder.
6. The Commission has pointed out in its counter-affidavit that in view of the fact that there was only one vacancy and the number of candidates was large, it adopted the criterion for short-listing, and in that process, they eliminated the applicant, while retaining Shri Tara Datt Pant.
7. Having considered the matter with due care, we feel that no illegality is discernible in the course adopted by the Commission. We are not sitting as an appellate Court over the judgment of the Commission. We find no element of arbitrariness in the course adopted by the Commission.

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8. This application has no substance and is rejected but without any order as to costs.

9. The interim order dated 16.2.1994 is vacated.

B.N. Dhoundiyal
(B.N.Dhoundiyal)
Member(A)

S.K. Dhaon
(S.K.Dhaon)
Vice Chairman

/sds/