



**Central Administrative Tribunal
Principal Bench, New Delhi**

O.A. No. 1221/2020

This the 4th day of September, 2020

(Through Video Conferencing)

**Hon'ble Mr. A.K. Bishnoi, Member (A)
Hon'ble Mr. R.N. Singh, Member (J)**

Bhupender Singh
Aged 35 Yrs, Post Manager (Traffic) Class-B
S/O Late Sh. Rajender Singh
H.No.53, Vill. Budhpur
P.O. – Alipur, New Delhi - 36

...Applicant

(By Advocate: Sh. J.S. Mann)

VERSUS

1. Chief Secretary,
Govt. of NCT
Players Building, I.P. Estate
New Delhi
2. Chairman,
Delhi Subordinate Services Selection Board,
FC-18, Institutional Area,
Kadkadduma Delhi-110 302
3. The Chairman
Delhi Transport Corporation (Hqs)
I.P. Estate,
New Delhi-110 002.

...Respondents

(By Advocates: Ms. Esha Mazumdar for Respondent
No. 1 and 2; Sh. Sushant Sharma for Sh. Manish
Garg for Respondent No. 3)

ORDER (Oral)**Hon'ble Mr. R.N. Singh, Member (J):**

Heard Shri J.S. Mann, learned counsel for the applicant, Ms. Esha Mazumdar, learned counsel for Respondents No. 1 & 2 and Shri Sushant Sharma, who appeared as proxy to Shri Manish Garg, learned counsel for Respondent No. 3.

2. The present OA has been filed u/s 19 of the Administrative Tribunals Act, 1985. The applicant has challenged the order dated 04.11.2019 issued by Respondent No. 3 whereby Respondent No. 3 has cancelled the provisional selection of the applicant. Learned counsel for the applicant argues that the impugned order is perverse as well as contrary to the Recruitment Rules. He further adds that aggrieved by the aforesaid impugned order, the applicant has preferred representation dated 21.02.2020 (Annexure A-10) followed by reminder dated 11.08.2020 (Annexure A-11). The same are still laying pending consideration before the respondents.

3. Issue notice to respondents. Ms. Esha Mazumdar, learned counsel, who appears on advance service, for Respondents No.1 & 2, accepts notice. She



submits that she has been instructed to say that once the Respondents No.1 & 2 have recommended the name of the applicant after completion of the selection process, there is no role for them to play in the matter.

Learned counsel Shri Sushant Sharma for Shri Manish Garg, learned counsel for respondent No.3 accepts notice.

4. Learned counsel for applicant submits that the applicant shall be satisfied if the present OA is disposed of at this very stage with direction to the Respondent No. 3 to consider the applicant's aforesaid representation dated 21.02.2020 along with reminder dated 11.08.2020 (Annexures A-10 & A-11 respectively) and to dispose of the same by passing a reasoned and speaking order. There is no objection from the learned counsel for the respondents.

5. In view of the above, without going into the merits of the case, the present OA is disposed of with direction to Respondent No. 3 to consider the aforesaid representations of the applicant and dispose of the same by passing a reasoned and speaking order within a period of six weeks from the date of receipt of a copy of this order. It is further made clear that till the aforesaid representations are disposed of, the



respondents shall not create a third party interest in the matter.

6. OA is disposed of in the aforesaid terms. No order as to costs.

(R.N. Singh)
Member (J)

(A.K. Bishnoi)
Member (A)

/cc/akshaya/