IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.652/86

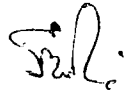Sanjay Tripathi   . . .. Applicant

     Vs.

U.P.S.C.   . . .. Respondents

ORDER :

Heard the applicant in person and Mr.N.S.Metha, counsel for respondents. The dispute is about the filling up of the post of Deputy Legal Adviser in the Ministry of Law. The applicant has made an application for that post. One of the eligibility clause is that the applicant should possess Master's Degree in Law. The applicant is a Master of Philosophy in International Legal Studies from the Jawaharlal Nehru University. According to him, this degree ~~has compliance~~ Complies with the requirement of the recruitment rules and he is eligible for being considered to the post. It appears that the UPSC formed an opinion that the degree possessed by the applicant was insufficient to make him eligible for the post. The applicant made a representation to UPSC and a copy was given to the Law Secretary for considering his case.

Mr.Metha contended that six months have not elapsed from the date of the représentation i.e. from 5.8.86 and therefore his application would be premature. We do not intend to consider ~~such~~ whether the representation of the nature mentioned above, can be said to be one that is covered

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by section 20 of the Administrative Tribunals Act.
However, we intend to make a workable order which would
cause least prejudice to both these parties. In
our opinion, the representation mentioned above
should be considered and decided on or before
30.10.86. It would be in the fitness of things,
if the actual appointments to the post of Deputy
Legal Adviser are not filled up till 15.11.1986
so that, in case the representation of the applicant
is not accepted the applicant would be able to file
an application with this Tribunal. We accordingly
make the above mentioned directions and in view
of these directions the application is disposed of.
A copy of the above order should be given to the
applicant and Mr.Metha by hand.

(S. P. MUKERJI)
ADMINISTRATIVE MEMBER
29.9.86

(B. C. GADGIL)
VICE-CHAIRMAN (JUDICIAL)
29.9.86