

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
NEW DELHI****O.A. No. 2936/91**  
**T.A. No.****199****DATE OF DECISION** 12.08.1993

<u>Shri Jasbir</u>	<b>Petitioner</b>
<u>Shri V.P.Sharma</u>	<b>Advocate for the Petitioner(s)</b>
<b>Versus</b>	
<u>U.P.S.C.</u>	<b>Respondent</b>
<u>K.C.Mithal</u>	<b>Advocate for the Respondent(s)</b>

**CORAM****The Hon'ble Mr. J.P.SHARMA****MEMBER (J)****The Hon'ble Mr. S.GURUSANKARAN****MEMBER (A)**

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgement?
4. Whether it needs to be circulated to other Benches of the Tribunal?

**JUDGEMENT - ORAL**

This judgement was delivered by Hon'ble Mr.

J.P.Sharma, Member (J)

The applicant has applied for the post of Assistant Director (Hindi/Typewriting/Stenography) Gr.'B' Gazetted in the scale of Rs.2000-3500 for amking appointment in the Central Hindi Teaching Institute, Department of Official Language, Ministry of Home Affairs. A copy of advertisement dated 23rd February - 1st March, 1991 is annexed to the application on that serial No.33 essential qualification for the said post advertised have been mentioned. The applicant appears to

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have qualified the preliminary test and an interview letter was issued to him on 12th November, 1991 that interview is on 10.12.1991 by the U.P.S.C. But a note is appended at the bottom of the interview letter which reads as follows:

"Your interview is subject to production of passed intermediate or equivalent in Hindi as one of the subject on or before 13.3.1984, failing which you will not be interviewed and no TA will be paid."

2. The applicant has filed this application and by which an interim order dated 6.12.1991 an interim direction was issued to the U.P.S.C. that the applicant provisionally be allowed to the interview to the post of Asstt. Director (Hindi/Typewriting/Stenography). However, the result of the applicant was not be declared, but a post was kept vacant. Notice was issued to the U.P.S.C. and contest the application. But since then till today the reply has not been filed. The application was therefore, admitted on 17.3.1993 and further time was allowed to the respondents to file reply, but the same has not been done. One another opportunity was also allowed by the Dy. Registrar when the matter was fixed for completion of pleadings, but till today the counter is not filed. On 12th July, 1993 Ms. Pratima Mittal proxy counsel appeared for Shri K.C. Mittal and prayed for last opportunity to file reply, but the same has not been availed of and no reply is forthcoming. In view of this we constrained to feel that UPSC is not contesting the matter and not opposing the grant of relief prayed in the application.

3. Since the applicant has already been interviewed by the interim direction dated 6.12.1991, as stated by the applicant at the Bar, the result of the applicant has to be declared.

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4. At this stage on scrutiny of the application, we find that the Ministry of Home Affairs has not been impleaded as party nor the Union of India. The applicant's counsel gives up the relief for the appointment of the applicant and only pressing for the relief of the result of applicant.

5. In view of the above the U.P.S.C. is directed to declare the result of the applicant. the U.P.S.C. should comply with the above direction within two months from the date of receipt of a copy of this order.

No cost.

  
S. GURUSANKARAN  
MEMBER (A)

  
J. P. SHARMA  
MEMBER (J)

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