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**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

OA NO. 1473/2004

New Delhi, this the 14th day of January, 2005

**HON'BLE MR. JUSTICE V.S. AGGARWAL, CHAIRMAN
HON'BLE MR. S.K. NAIK, MEMBER (A)**

M.S.Talwar,
S/o late Shri S.S. Talwar,
Director (Cooperation),
Ministry of Agriculture,
Krishi Bhawan, New Delhi.
R/o A-2526, Netaji Nagar,
New Delhi- 110 023.

...Applicant

(By Advocate: Shri C.B.Pillai)

-versus-

1. Union of India through
Secretary to the Govt. of India,
Department of Agriculture & Cooperation,
Ministry of Agriculture,
Krishi Bhawan,
New Delhi – 110 001.
2. The Secretary,
Union Public Service Commission,
Dholpur House, Shahjahan Road,
New Delhi – 110 001. ...Respondents

(By Advocate: Shri S.M. Arif for R-1 and Mrs. B.Rana for R-2)

ORDER (ORAL)

Justice V.S.Agarwal, Chairman:

The facts are not in dispute. The applicant had applied for the post of Chief Director (Cooperation). It is not in dispute that earlier applicant had been suspended but later was reinstated. Chargesheet has not been served on the applicant. The applicant had not been called for the interview because the Union Public Service Commission was informed that there was a vigilance case against the applicant.

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2. Learned counsel appearing on behalf of the Union Public Service Commission fairly informs us that in pursuance of the interim order passed by this Tribunal, the applicant has been interviewed and the result of the selection has been sent to the appropriate authority.

3. In the facts, once there is no departmental proceeding pending against the applicant on this date, we have no reason to conclude that applicant should not have been considered.

4. Keeping in view the above said facts, which we have delineated and are not in dispute, and that the applicant has since been interviewed, we dispose of the present Original Application directing that the concerned authority can consider as to if the appropriate person has to be appointed or not after considering the claim of the applicant also.

Naik
(S.K Naik)

Member (A)

V.S. Aggarwal
(V.S. Aggarwal)
Chairman

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