



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

O.A. No. 2225/2021  
M.A. No. 2842/2021

**This the 6<sup>th</sup> day of October, 2021**

Through Video Conferencing

**Hon'ble Ms. Manjula Das, Chairman  
Hon'ble Mr. Mohd. Jamshed, Member (A)**

1. BHUVANESH  
S/o Shri Devidas Patil,  
Aged 28 years,  
Residing at Sandipani Colony,  
Shirpur, Dist. Dhule, Maharashtra – 425405.
2. ABHINANDAN P.,  
Son of Pazhaniyappan M.  
Aged about 32 years,  
Residing at plot no. 6, Sabanagar, Ammapettai,  
Usuppur Village, Chidambaram - 608401.
3. AJMAL SHAHZAD RAWTHER,  
Son of Aliyar Rawther,  
Aged about 28 years,  
Residing at Flat No. 2B,  
Kannur Heights, Aarat Road,  
Kannur, Kerala.
4. ABHIJEET YADAV  
S/o. Virendra Singh Yadav,  
Aged about 27 years,  
Residing at 798, Saraswati Vihar,  
MG Road, Gurgaon, Haryana.
5. GIRI SANKAR,  
S/o. S. Raghunathan,  
Aged about 27 years,  
Residing at 20/15, 1st Street,



**Sriram Nagar,  
Chennai - 600113.**

6. **Paramanand Darade,**  
Room No. 238, Building No. 14,  
Reynolds Road, Wadala (E),  
Mumbai 400037.
7. **Ghuge Monika Shridharrao,**  
Daughter of Ghuge Shridharrao Sheshrao,  
Aged about 31 years,  
Residing at Mauli Sadan,  
Plot Number 10, Ekta Housing Society,  
in front of Himayat Bagh, CIDCO N-12,  
Aurangabad, Maharashtra - 431003.
8. **VASANTH MESHACH J.,**  
Son of Jeyakumar C. Plot No. 2791,  
Y Block, 6th Street,  
12th Main Road, Annanagar,  
Chennai - 600040.
9. **PAWAR SWAPNIL VASANTRAO,**  
Son of Vasantrao Gulabrao Patil,  
Aged about 26 years, residing at "Suman" Plot No. 26,  
Babu Netaji Subhashchandra Bose Housing Society,  
Gondur Road, Deopur Dhule,  
Maharashtra - 424005.
10. **A. AMALA ADVIN,**  
Daughter of A. Antony Amal Anantharaj,  
Aged about 24 years,  
Residing at 28 Velanganni Nagar,  
1st Street, Arockiapuram (PO),  
Tuticorin - 628002.
11. **AMAL N.S.,**  
Son of Noushad Rawther,  
Aged about 29 years,  
Residing at Sivadam, Thundathil,  
P.O. Karavattom, Kerala - 695581
12. **Prashant Kumar,**  
Son of Anand Kumar,



Aged about 31 years,  
Residing at 148, Rajeev Nagar, Indira Nagar,  
Lucknow, Uttar Pradesh - 226016.

13. Suryawanshi Swapnilkumar Sunilrao,  
Son of Suryawanshi Sunil Hilal  
Aged about 27 years,  
Residing at 57, Shivneri Colony,  
Vidyanagari, Dhule Maharashtra - 424005.
14. ASHUTOSH NAMDEO,  
Son of Murali Namdeo,  
Aged 26  
Residing at 238,  
TDA 2B Scheme Bajnarmath,  
Nehru Nagar, Jabalpur,  
Madhya Pradesh - 482003.
15. MEGHA GUPTA, daughter of Sushil Gupta, aged about  
26 years, residing at 124/70 C Block, Govind Nagar,  
Kanpur, Uttar Pradesh 208006.
16. Aeshala Vamshi Krishna  
Son of Sri. Aeshala Raghavulu,  
Aged about 25 years  
residing at H.No. 8-3-228/371/A, Rahamath Nagar,  
Yousuguda,  
Hyderabad – 500045.
17. AJAY KUMAR TADIA  
S/o Sri. Rattan Chand Tadia,  
Age 32, Shiva Nagar, Kathua,  
Jammu and Kashmir - 184101.
18. DEVASHYA JYOTI JYOTIRMOY,  
S/o Sri. Basudev Prasad,  
Age 34  
Near Bharam Bhaba,  
Village Banki Khal, Post Mirganj,  
Dist. Gopalganj, Bihar- 841438.
19. KAUSTUBH,  
Son of Kaushalendra Kumar, aged  
About 27 years,



Residing at DDA Flats, Munirka,  
New Delhi-110067.

20. Bhavya Saini  
Aged about 26 years,  
D/o Mr. S.K. Saini,  
House No. 12-C, DEE ESS  
Estate, Dhakoli, Zirakpur,  
SAS Nagar (Mohali)  
Punjab 160104.

21. Abhishek Katiyar, Son of Pradeep Katiyar,  
Aged about 26 years,  
residing at Sardargali, Kannauj,  
Uttar Pradesh- 209726.

22. Amit Verma  
DT-19/24 Shastrinagar Izzatnagar, Bareilly  
Bareilly, Uttar Pradesh – 243122.

...Applicants  
(By Advocate: Mr. Vikram Hegde)

## **Versus**

UNION OF INDIA  
Ministry of Personnel, Public Grievances and Pensions  
Department of Personnel and Training,  
Lok Nayak Bhawan,  
Khan Market,  
New Delhi-110003.  
Represented by its Under Secretary

...Respondent  
(By Advocate: Ms. Anupama Bansal)



## **ORDER (ORAL)**

**Hon'ble Ms. Manjula Das, Chairman**

**M.A. No. 2842/2021**

This M.A. has been filed by the applicants under Rule 4(5) (a) of CAT (Procedure) Rules 1987, seeking permission to join in a single O.A. For the reasons stated in the M.A., the same is allowed.

**O.A. No.2225/2021**

2. This O.A. has been filed by the applicants under Section 19 of the Administrative Tribunals Act, 1985, seeking the following relief(s):-

- “a) Direct the Respondent to consider the Applicants as an OBC-Non Creamy Layer Candidate in respect of UPSC Civil Services Examination and allocate service accordingly.
- b) Any other order that this Hon'ble Tribunal may deem fit and proper in the facts of the case.”

3. We heard Mr. Vikas Hegde, learned counsel for applicants and Ms. Anupama Bansal, learned counsel appeared on behalf of respondents, at the stage of admission.



4. After going through the record, we find that earlier the applicants directly approached the Hon'ble High Court of Delhi by filing W.P. (C) No. 6097/2019, which was disposed of vide order dated 28.05.2019, by giving liberty to the applicants to make a representation to the respondents within two weeks. It was made clear that if the applicants are still aggrieved by the decision taken by the respondents, they may challenge the same before this Tribunal.

5. The applicants have not placed on record any order passed by the respondents, rejecting the claim of the applicants, nor any fresh cause of action arose, which forced the applicants to approach this Tribunal. We find that this O.A. is not maintainable and the same is accordingly dismissed. However, the applicants are at liberty to approach the Tribunal, if so advised, as and when occasion arises.

There shall be no order as to costs.

**( Mohd. Jamshed )**  
**Member (A)**

**( Manjula Das )**  
**Chairman**

**October 6, 2021**  
/sunil/jyoti/