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Dated:- 15.7.93

Hon. Mr. A.K. Sinha, J.M.  
Hon. Mr. V.K. Seth, A.M.

Heard the learned counsel for the parties. The learned counsel for the respondents submits that since the date of receiving the applications appearing in the Civil Services (Preliminary Examination) <sup>1993</sup> has been extended upto 2.3.93 and the applications of the applicants were received before that date and consequently, the applications have already been accepted by the U.P.S.C. so in that view of the matter, it has been submitted that these applications have now become infructuous. These facts are admitted by the learned counsel for the applicant.

Consequently, considering the submission and in view of the facts that the applications of the applicants have since been accepted by the U.P.S.C. as a result of the extension of the date for receiving the applications for appearing in the Civil Services (Preliminary) Examination, 1993, these applications have now become infructuous and the result, therefore, is that they are dismissed as infructuous.

*W.K.*  
A.M.

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J.M.

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Order-Sheet

O.A. No. 786 of 1993

21.5.1993

① Hon. Mr. K. Obayya, Member(A)

Heard Sri V.D. Ojha, learned counsel for the applicant.

The applicant submitted his application for Civil Services(Preliminary) examination, 1993 by registered post on 15.2.1993. A copy of the postal receipt is on record as (Annexure-A 2) to the application. He was, however, informed by a communication dated 26.4.1993 by U.P.S.C. (Annexure -A 1) that his application cannot be entertained as it was received on 24.2.1992 i.e. after expiry of the last date prescribed for receipt of the application. The contention of the applicant is that he has submitted his application well within time and he has no control as to what happened thereafter.

Issue notice to the respondents to show cause as to why this application may not be admitted. They may file reply within 4 weeks, Rejoinder Affidavit, if any may be filed within 2 weeks thereafter. List this case on 15.7.1993 for admission/hearing.

In the matter of interim relief, the respondents are directed to permit the applicant to appear at the examination treating as if his application has been received within time. The respondents are further directed to issue admit card to the applicant well within time to enable him to appear at the examination. The candidature of the applicant, however, may be treated as provisional and subject to the final decision of this case.

OR  
vide court order dt  
21.5.93 Regd notices  
issued dtm despat- vide  
despatch no 3482 on 6.6.93

No reply has  
been filed so far.

Submitted.

14.5.93  
(n.u.)

*[Signature]*  
Member(A)