



BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL,  
CUTTACK BENCH, CUTTACK.

Original Application No.260/00 293 of 2016

(Application U/S. 19 of the A.T. Act., 1985)

In the matter of:

Pareswar Dash, aged about 34 years, Son of Maheswar  
Dash, At.- Ranabhanjapur, P.O.- Kharashpur, Dist.-  
Balesore, Odisha-756046.

**APPLICANT**

-Vrs. -

1. Secretary, Union Public Service Commission,  
Dholpur House, Sahajan Road, New Delhi-110069.
2. Secretary, Ministry of Personnel, Public Grievances  
& Pension, Department of Personnel and Training,  
Room No.209 C, North Block, New Delhi.

**RESPONDENTS**

Pareswar Dash

**4**  
**ORDER (ORAL)**  
**Dated 18.05.2016**

**A.K.PATNAIK, MEMBER (JUDL.):**

Heard Mr. N.R.Routray, Ld. Counsel appearing for the applicant, and Mr. S.Behera, Ld. Sr. Central Govt. Panel Counsel appearing for the Respondents, on whom a copy of this O.A. has already been served, and perused the materials placed on record.

2. This O.A. has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 with the following prayer:-

“(i) To quash the impugned order of rejection dated 29.09.2015 under Ann.-A/9.

(ii) And to direct the Respondent No. 2 to send the applicant to appear before the Appellate Medical Board at Guru Nanak Eye Center, New Delhi.;

And pass any other order as this Hon’ble Tribunal deems fit and proper in the interest of justice.”

3. The case of the applicant is that in pursuance of Examination Notice No. 09/2014-CSP issued by the Respondent No.1 for Civil Services Examination, he applied against the vacancy meant for Physically Handicapped quota, and qualified in the preliminary and main written examination. He appeared for the personality test held on 06.05.2015. The Medical Board assessed the disability of the applicant as 30% vide Annexure-A/6 dated 07.05.2015. On his request, he was allowed to appear in the medical re-examination on 05.09.2015. Vide order dated 29.09.2015 (Annexure-A/9), he was intimated that he is not entitled to be allocated to any service on the basis of Civil Service Examination-2014 and his candidature of the said examination is cancelled. Mr. N.R.Routray, Ld. Counsel for the applicant, submitted that

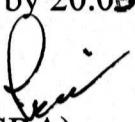
*N.R.Routray*

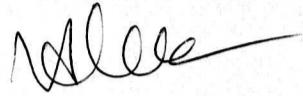
ventilating his grievance the applicant submitted representation dated 04.04.2016 (Annexure-A/10) to Respondent No.2. It has further been submitted that till date no response has been received by the applicant on his representation. Hence, the applicant has filed this O.A. with the prayer as aforesaid.

4. Since the representation submitted by the applicant is stated to be pending, without entering into the merit of this case, we dispose of this O.A at the stage of admission by directing Respondent No.2 to consider the representation dated 04.04.2016 (Annexure-A/10), if the same is still pending, as per the extant Rule and communicate the result thereof to the applicant by way of a reasoned/speaking order within a period of 02 (two) months from the date of receipt of a copy of this order. If, after such consideration it is found that the applicant is entitled to the relief claimed by him then the same may be extended to him within a further period of 03 (three) months from such consideration. Though we have not expressed any opinion on the merit of the matter, we make it clear that all the points raised in the representation will be kept open for the Respondents to consider the same as per rules, regulations and law in force. However, it is made clear that if in the meantime the said representation has already been disposed of then the result of the same be communicated to the applicant within a period of two weeks from the date of receipt of copy of this order.

5. With the aforesaid observation and direction, the O.A. is disposed of at the stage of admission itself. No costs.

6. On the prayer made by Mr. N.R.Routray, Learned Counsel appearing for the applicant, copy of this order, along with paper book, be sent to Respondent No.2 by Speed Post for which he undertakes to file the postal requisites by 20.05.2016.

  
(R.C.MISRA)  
MEMBER (A)

  
(A.K.PATNAIK)  
MEMBER(J)

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