

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

Second Floor,  
Commercial Complex,  
Indiranagar,  
BANGALORE- 560 038.

Dated: **27 JAN 1995**

APPLICATION NO: 1580 of 94 and 1597 of 94.

APPLICANTS:- Sri.Jahangeer Pasha and another.,  
V/S.

RESPONDENTS:- The Registrar General of India, New Delhi and  
two others.,

To

1. Sri.M.Raghavendra Achar, Advocate,  
No.1074 and 1075, Fourth Cross,  
Second Main, Sreenivasanagar,  
Bangalore-560 050.
2. Sri.M.Vasudeva Rao, Addl.C.G.S.C.  
High Court Bldg, Bangalore-1.
3. Sri.M.S.Padmarajaiah, Sr.CGSC,  
High Court Bldg, Bangalore-1.

Subject:- Forwarding of copies of the Order passed by the  
Central Administrative Tribunal, Bangalore.

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Please find enclosed herewith a copy of the ORDER/  
STAY ORDER/INTERIM ORDER/ passed by this Tribunal in the above  
mentioned application(s) on 16th January, 1995.

Issued on

27/01/95

*[Signature]*

*[Signature]*

*[Signature]*  
for DEPUTY REGISTRAR  
JUDICIAL BRANCHES.

CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE BENCH

ORIGINAL APPLICATION Nos.1580/94 & 1597/94

MONDAY, THIS THE 16TH DAY OF JANUARY, 1995

SHRI JUSTICE P.K. SHYAMSUNDAR .. VICE CHAIRMAN

SHRI T.V. RAMANAN .. MEMBER (A)

1. Jahangeer Pasha,  
S/o Late S.S. Jagirdar,  
Aged 48 years,  
No.102, 14th A Main,  
8th B Cross, Weaver's Society,  
Vijayanagar II Stage,  
Bangalore-560 040.

2. M.J. Jagadeesha,  
S/o Late Javarajah,  
Major, Statistical Assistant,  
O/o the Director of Census  
Operations in Karnataka,  
No.21/1, Mission Road,  
Bangalore - 560 027.

... Applicants

(By Advocate Shri M.R. Achar)

Vs.

1. The Union of India,  
Through Registrar General of India,  
2/A, Mansingh Road, New Delhi-110 011.

2. The Director of Census Operations  
in Karnataka,  
No.21/1, Mission Road,  
Bangalore-560 021.

3. The Chairman,  
Union Public Service Commission,  
Dholpur House, New Delhi-11.

... Respondents

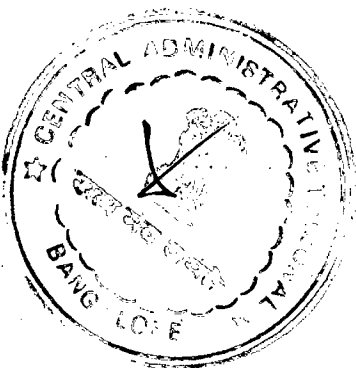
(By Advocates Shri M. Vasudeva Rao,  
Addl. Central Govt. Stg. Counsel for  
R-1 & 2 and Shri M.S. Padmarajah,  
Senior Central Govt. Stg. Counsel for  
R-3.)

ORDER

Shri Justice P.K. Shyamsundar, Vice Chairman:

These applications are disposed of by a common order  
as herein.

...2..



2. Herein (O.A.No.1597/94) the applicant claims that an application submitted by him to the U.P.S.C. for some post with the Govt., even though having reached the U.P.S.C. before the last date, he was, nonetheless, not called for interview. The last date for the receipt of the application form was 31.12.1993. The case of the U.P.S.C. is that the applicant's application was received beyond that date, an aspect which is controverted by the applicant. Some materials are placed by both sides to defend their stand. The applicant produces some material which raises more doubts than it solves and on the other hand, the U.P.S.C. produces materials to show that the application was received only on 7.1.1994. The material produced by the applicant is shown to be authenticated and the materials produced by the U.P.S.C. also appear to be authenticated. The question whether the application was received in time or not is purely a question of fact, but, in this case, it is embarked in serious controversy. We cannot resolve this controversy. This application, therefore fails, and is dismissed.

3. In the other case, viz., O.A. No.1180/94, which is considered alongside is by one Jahangeer Pasha who admittedly was over-aged. It was for that reason, he was not notified and interviewed. Shri Achar says that the Lucknow Bench of this Tribunal has directed the U.P.S.C. to interview similarly placed persons. We do not follow that procedure.

The fact remains that the applicant being over-aged was not therefore interviewed. No blame can attach to the action of U.P.S.C. This application also fails and is dismissed.



TRUE COPY

*[Signature]*  
Section Officer  
Central Administrative Tribunal  
Bangalore Bench  
Bangalore

*[Signature]*  
( T.V. RAMANAM )  
MEMBER (A)

*[Signature]*  
( PASHYAMSUNDAR )  
CHIEF CHAIRMAN