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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:

HYDERABAD

R.A.No. 105 OF 1999

DATE OF ORDER: 4-11-1999.

in
O.A.No.782 OF 1999. & OA.No.782 of 1999.
BETWEEN:

1. Chairman, Union Public Service Commission, Dholpur House, Shah Jahan Road, New Delhi.
2. The Secretary, Union Public Service Commission, Dholpur House, Shah Jahan Road, New Delhi.

...Applicants

a n d

1. R.V.S.Chalapathi Rao.
2. K.Praseeda.

...Respondents

COUNSEL FOR THE APPLICANTS :: Mr.B.Narsimha Sharma

COUNSEL FOR THE RESPONDENTS :: Mr.M.V.S.Sai Kumar

CORAM:

THE HON'BLE SRI JUSTICE D.H.NASIR, VICE CHAIRMAN

THE HON'BLE SRI R.RANGARAJAN, MEMBER (ADMN.)

: O R D E R :

ORAL ORDER (PER HON'BLE SRI R.RANGARAJAN, MEMBER (A))

Heard Mr.M.C.Jacob for Mr.B.Narsimha Sharma, learned Standing Counsel for the Applicants.

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2. The Respondents in the OA filed this RA for reviewing the Judgment in OA.No.782 of 1999, disposed of on 25-5-1999. The OA was disposed of directing the respondents to interview the applicants therein provided the number of interviews including the applicants does not exceed 1480 candidates.

3. The short back-ground of this case is as follows:-

4. In the Civil Services Examination, 1998, initially the number of vacancies were advertised as 740. Hence, twice the number of candidates who qualify in the Written Examination should be called for interview. But before the interviews started, the number of vacancies was reduced to 470. Hence, the respondents called only 940 candidates for the interview. The applicants in the said OA.No.782 of 1999 protested against the calling of only 940 candidates for the interview instead of 1480 candidates. In that context, the Judgment was delivered in the OA.No.782 of 1999.

5. The learned Counsel for the Respondents in the OA submits that the Order in the OA was received on 1-7-1999. Before that the interviews were over. Hence, the applicants in the OA were not called for the interview.

6. Subsequently, the Apex Court in Civil Appeal No.3177 of 1999, (Annexure-III, page.43 to the RA) had held that the number of candidates to be called for interview is to be decided only on the basis of the



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number of vacancies assessed while issuing notice for interview. Hence, the Apex Court had held that calling 940 candidates for interview instead of 1480 is in order.

7. The Civil Appeal No.3177 of 1999 was disposed of on 13-5-1999. It may be possible that the said Judgment may not have been brought to the notice of this Bench when it passed the Order in OA.No.782 of 1999.

8. In view of the law laid down by the Apex Court, the Order passed on 25-5-1999 in the OA.No.782 of 1999 has to be re-called and set aside. Accordingly, the Order dated 25-5-1999 is re-called and the OA.No.782 of 1999 is dismissed. No costs.



(R.RANGARAJAN)
MEMBER(ADMN.)



(D.H.NASIR)
VICE CHAIRMAN

DATED: this the 4th day of November, 1999

Dictated in Open Court

DSN



(15)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH
AT HYDERABAD.

O.A.No.782/99

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Date of decision: 25-5-1999

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Between:

1. R.V.S. Chalapathi Rao. ..
2. K.Praseda. .. **Applicants**

And

1. Chairman, Union Public Service Commission,
Dholpur House, Shah Jahan Road, New Delhi.
110 011.
2. Secretary, Union Public Service Commission,
Dholpur House, Shahjahan Road, New Delhi 110 011. **Respondents.**

Counsel for the Applicants: Sri M.V.S.SaiKumar.

Counsel for the Respondents: Sri V.Vinod Kumar

CORAM:

Justice
Hon'ble Sri/D.H.Nasir, Vice-Chairman.

Hon'ble Sri H.Rajendra Prasad, Member (A)

O R D E R

(by Hon'ble Sri H.Rajendra Prasad, Member (A))

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Heard Sri V.Suryanarayana Sastry for Sri M.V.S.Sai Kumar
on behalf of the applicant and Sri V.Vinod Kumar for the Res-
pondents.

(16)

The Applicants pray for a declaration that the action of the Respondents in not calling them (Applicants with Roll Nos. 002638 and 257888) for interview in connection with the Civil Services Examination, 1998 as illegal and arbitrary and to direct the Respondents to call the Applicants for the said interview.

The pleadings, averments and contentions raised in this O.A., are similar to those in O.A.783/99 which was disposed of today. Hence the directions given in O.A.783/1999 hold good in this O.A. Hence, the following directions are given:

In the circumstances, it would be expedient and adequate to direct the Respondents to call the Applicants for interview/personality test of Civil Services, 1998, provided they figure within the zone of 1480 candidates who came out successful in the written and preliminary examinations.

With the above directions, the O.A., is disposed of at the admission stage.

H.RAJENDRA PRASAD
(H.RAJENDRA PRASAD)
Member (A)

D.NASIR-J
(D.H.NASIR-J)
Vice-Chairman.

Date: 25-5-1999
ss. Dictated in open Court.

Amrit
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