

CENTRAL ADMINISTRATIVE TRIBUNAL.

JAIPUR BENCH, JAIPUR.

O.A. No. 07/2003.

Date of Decision: 18.08.2003.

Mr. Manoj Kumar Meena aged about 27 years, S/o Shri Ram Prasad Meena, r/o Meena Colony, Udei Mod, Gangapur City, Sawai Madhopur Distt.

: Applicant.

VERSUS

1. Chairman, Staff Selection Commission, C.G.O.Complex, Khan Market, Lodi Road, New Delhi.
2. Secretary, Staff Selection Commission, C.G.O. Complex, Khan Market, Lodi Road, New Delhi.
3. Regional Director, Staff Selection Commission, 8-B Beli Road, Allahabad.
4. Chief Secretary, State of Uttar Pradesh, Lucknow.(UP).

Respondents.

Mr. Vinod Goyal: Counsel for the applicant.

CORAM:

The Hon'ble Mr. Justice G.L.Gupta, Vice Chairman.

The Hon'ble Mr. A.K. Bhandari, Administrative Member.

O R D E R

Per Mr. Justice G.L.Gupta:

This O.A has been filed against the inaction on the part of the respondents to give appointment to the applicant on the post of U.D.C.

2. Pursuant to the advertisement issued by the Staff Selection Commission, (SSC for short) for the post of U.D.C. the applicant had also made his application. He was allotted Roll No. 1712683. He appeared in the written examination held at Jaipur Centre in Tagore Public School, (Wing -3) Shastri Nagar Road, Jaipur. He was declared successful vide



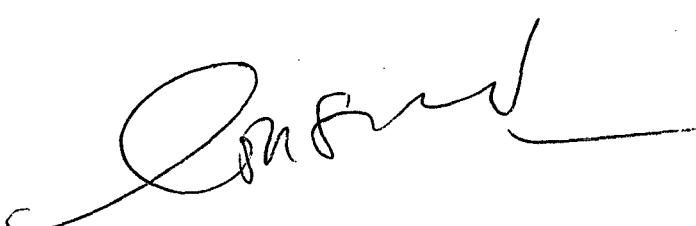
Employment News Paper 27th January - 2nd February 2001. He was allotted Uttar Pradesh State, vide Rosgar Samachar dated 27th April-3rd May 2002. Since the applicant did not receive appointment order, he has approached this Tribunal seeking directions to the respondents to give him appointment.

3. On 07.07.2003, the learned counsel for the applicant was asked to satisfy as to how this Bench of the Tribunal has got jurisdiction to entertain this matter.

4. Mr. Goyal pointed out that the applicant had appeared in the written examination at Jaipur and he has seen the result at Jaipur. According to him, part cause of action has arisen under the jurisdiction of this Bench and hence it is entertainable by this Bench. He cited the case of Kailash Chand Meena vs. Union of India and another [O.A. No. 276/2002 decided on 09.07.2002]

5. We have considered the above contention. Simply because, the applicant had appeared in the written test at Jaipur Centre it cannot be accepted that cause of action or part of it has arisen to him to file the case before this Bench. Seeing of the result at Jaipur also did not give a cause of action to the applicant. As a matter of fact, the cause of action arose to the applicant when he was declared successful and was allotted to U.P. State. In our opinion not even part of cause of action has arisen to the applicant under the territorial jurisdiction of this Bench. This O.A is therefore not entertainable by this Bench.

6. As to the case of Kailash Chand Meena (supra), it may be stated that the question of jurisdiction was not at all considered by the Bench in that case. In that case without issuing notice to the other side, a direction was given to the respondents having their offices in Punjab, Jammu and Kashmir. This order does not decide the point that



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appearing in a written test or seeing result at a particular place would furnish cause of action.

6.1. Under Rule 6 of the C.A.T. (Procedure) Rules, 1987, an application may be filed where the cause of action; wholly or in part has arisen. The residence of the candidate, or the place of examination centre or the place where the result was seen in the newspaper does not give jurisdiction to entertain an application.

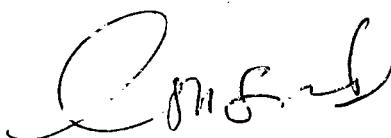
7. Since not even part of cause of action has arisen under the territorial jurisdiction of this Bench of the Tribunal the O.A is liable to be returned to the applicant.

8. Consequently, it is directed that the instant O.A. be returned to the applicant for presentation to the proper forum.

~~(A.K. Bhandari)~~

Administrative Member.

jsv.


(G.L.Gupta)

Vice Chairman.