

**In The Central Administrative Tribunal
Jaipur Bench, Jaipur**

OA./TA./MP. No.....199

3

Prashant Goyal Versus Union of India and others

Date of Order	Orders
	MA 98/96 in OA 242/94
7-8-1996	<p>None for the applicant even in the second round Mr.Zakir Hussain, brief-holder for Mr.S.S.Hasan, counsel for the respondent No.1 Mr.U.D.Sharma counsel for respondent No.3</p> <p>This is a Misc. application for recalling the order passed in OA No.242/94 on 24.1.1996 and for reviving the aforesaid Original application and proceeding with the same in accordance with law.</p> <p>2. we have heard Mr.Zakir Hussain, brief-holder for Mr.S.S.Hasan, counsel for respondent No.1 and Mr.U.D.Sharma, counsel for respondent No.3 and have also perused the records.</p> <p>3. The applicant had filed an Original Application No.242/94 challenging his allocation to the AGMUT Cadre of the Indian Administrative Service and had prayed for a direction to the respondents to allocate the Rajasthan State Cadre of IAS to him considering Haryana to be his home State. The applicant claims that he belongs to the State of Haryana and he had by mistake/inadvertence declared his home State as State of Rajasthan in the application form. The contention of the applicant is that since the Joint Secretary, Department of Personnel</p>
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	<p>Prashant Goyal for Sh U.D.Sharma Smti 30/8/96</p>

C. A. T. Bench, JAIPUR

Date of Order	Orders
	<p style="text-align: center;">-: 2 :-</p> <p>and Training in the Government of India appeared before the Tribunal on 24.1.1996 and had stated that the declaration of the candidates of their home State in the application form is final and irrevocable, the applicant thereafter did not press the aforesaid OA and sought permission of the Tribunal to withdraw the same. It is stated by the applicant that such a declaration given by the Joint Secretary is false and it was in view of this wrongful declaration that the counsel for the applicant believing it to be true did not pursue the case further and sought permission to withdraw it. It is further stated by the applicant that had this wrong declaration not been given by the Joint Secretary, the applicant's case being similar to that of Sanjeev Kaushal vs. Union of India (OA No. 985/CH/1988 decided by Chandigarh Bench of the Tribunal on 26.2.1990) would have been allowed.</p> <p>4. If the applicant is of the view that the declaration made by the aforesaid Joint Secretary was false, he is free to seek an appropriate remedy against him before an appropriate forum. The facts stated in this MA do not furnish any ground for recalling the impugned order</p> <p style="text-align: right;">C/KVJH</p>

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	<p>-: 3 :-</p> <p>dated 24.1.1996 passed in OA No.242/94.</p> <p>5. This Misc. Application is, therefore, dismissed.</p> <p><i>G.P. Sharma</i> (G.P. Sharma) Member (A)</p> <p><i>Chhikre</i> (Gopal Krishna) Vice Chairman</p>