

15

**CENTRAL ADMINISTRATIVE TRIBUNAL  
JAIPUR BENCH, JAIPUR**

---

**ORDER SHEET**

---

**ORDERS OF THE TRIBUNAL**

---

6.4.2011

OA 167/2009 with MA 331/2010

Mr.Vinod Singhal, proxy counsel for  
Mr.Naina Saraf, counsel for applicant.  
Mr.V.D.Sharma, counsel for respondents.

MA 331/2010 has been moved by learned counsel for the respondents praying taking on record copy of the order dated 7.1.2010 and copy of the notification dated 19.7.2010 on record.

In view of the averments made, MA stands allowed and the documents annexed thereto are taken on record and shall form part of the OA.

MA stands disposed of accordingly.

Heard learned counsel for the parties. The OA stands disposed of, by a separate order.

*Anil Kumar*

(Anil Kumar)  
Member (A)

*vk*

*K.S. Rathore*

(Justice K.S.Rathore)  
Member (J)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,  
JAIPUR BENCH, JAIPUR.

*Jaipur, the 6<sup>th</sup> day of April, 2011*

**ORIGINAL APPLICATION No.167/2009**

CORAM :

HON'BLE MR.JUSTICE K.S.RATHORE, JUDICIAL MEMBER  
HON'BLE MR.ANIL KUMAR, ADMINISITRATIVE MEMBER

Ashok Kumar,  
Director (Legal),  
Jaipur Nagar Nigam,  
Jaipur.

... Applicant

(By Advocate : Shri Vinod Singhal, proxy counsel for  
Ms.Naina Saraf)

Versus

1. Union of India through  
Secretary, UPSC,  
Shahjahan Road,  
New Delhi.
2. State of Rajasthan through  
Chief Secretary to the Govt. of Rajasthan,  
Government Secretariat,  
Jaipur.
3. Principal Secretary to Department of Personnel,  
Government of Rajasthan,  
Government Secretariat,  
Jaipur.
4. Principal Secretary to the Govt.,  
Department of Law and Justice,  
Government of Rajasthan,  
Government Secretariat,  
Jaipur.

... Respondents

(By Advocate : Shri V.D. Sharma)

**ORDER (ORAL)**

Heard learned counsel for the parties and perused the  
material available on record.



2. Learned counsel for the respondents referred to the interim order dated 7.1.2010 (Ann.MA/1), passed by the Division Bench of Hon'ble Rajasthan High Court, Jaipur Bench, in DB Civil Writ Petition No.5675/2009, and submitted that by the said order the Hon'ble High Court in the interest of justice had directed that the petitioner shall also be considered by the respondents/UPSC/Selection Committee for induction to IAS.

3. Learned counsel for the respondents also submitted that pursuant to the aforesaid direction of the Hon'ble High Court, candidature of the petitioner/applicant has been considered by the UPSC but he was not found suitable. Thereafter, the respondents vide notification dated 19.7.2010 (Ann.MA/2) issued the select list of Non-State Civil Service Officers of Rajasthan, in which only three candidates were found suitable and name of the applicant was not included therein.

4. As such, in our view, fresh cause of action is now available to the applicant to challenge the said notification and the present OA has become infructuous as in view of the interim order passed by the Hon'ble High Court candidature of the applicant has been considered by the UPSC and notification in this respect has also been issued. Issuance of the said notification has also not been disputed by learned counsel for the applicant.

5. Accordingly, the present OA stands dismissed as having become infructuous. No order as to costs.

*Anil Kumar*

(ANIL KUMAR)  
MEMBER (A)

*K.S. Rathore*  
(JUSTICE K.S.RATHORE)  
MEMBER (J)

*vk*