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CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORDERS OF THE BENCH

Date of Order: 22.05.2012

OA No. 192/2011

Mr. Ankur Rastogi, counsel for applicant.
Mr. Kunal Rawat, counsel for respondents.

Heard learned counsel for the parties.

O.A. is dismissed by a separate order on the separate sheets for the reasons recorded therein.

Anil Kumar

(ANIL KUMAR)
MEMBER (A)

K.S. Rathore

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

Kumawat

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORIGINAL APPLICATION NO. 192/2011

DATE OF ORDER: 22.05.2012

CORAM

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

Swati Bhamu D/o Shri B.M. Bhamu, aged about 23 years, R/o 406, Shiv Enclave, B/20, Shiv Marg, Near Collectorate, Bani Park, Jaipur.

...Applicant

Mr. Ankur Rastogi, counsel for applicant.

VERSUS

Union Public Service Commission, Dholpur House, Shahjahan Road, New Delhi, through its Secretary.

...Respondent

Mr. Kunal Rawat, counsel for respondent.

ORDER (ORAL)

Heard learned counsel appearing for the respective parties.

2. Vide interim order dated 13.05.2011, this Bench of the Tribunal has permitted the applicant provisionally to appear in the Engineering Service Examination, 2011, which was scheduled to be held from 14.05.2011 to 16.05.2011, and the respondents were directed to keep the result of the applicant under sealed cover.


3. Pursuant to the interim order dated 13.05.2011, the UPSC/ respondent has allowed the applicant to appear in the said examination and kept the result of the applicant under sealed cover.



4. On the previous occasion, we thought it proper to summon the result of the applicant to see 'whether the applicant has qualified in the said Engineering Service Examination 2011 or not'. Today, learned counsel appearing for the UPSC/respondent placed before us marks sheet / result of the applicant in sealed cover, and the same has been perused by us, and we find that the applicant has been declared 'not qualified' in the written test of Engineering Service Examination 2011.

5. In view of this fact that the applicant has not qualified in the written examination of Engineering Service Examination 2011, this Original Application has become infructuous because by way of filing the present OA, the applicant has only challenged the letter dated 26.04.2011 (Annex. A/1) by which the UPSC has rejected the application form of the applicant for the reason that 'photo not proper. The question of resolving this controversy now in this OA is meaningless as the applicant has been allowed to appear provisionally in the said examination and has been declared 'not qualified' in the written test conducted for Engineering Service Examination 2011.

6. In view of the observations made hereinabove, the Original Application has become infructuous. Consequently, the Original Application stands dismissed as having become infructuous.


(ANIL KUMAR)
MEMBER (A)


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