

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH
CHANDIGARH**

O.A. No.060/00999/2014

Decided on: 10.11.2014

**Coram: Hon'ble Mr. Sanjeev Kaushik, Member (J)
Hon'ble Mr. Uday Kumar Varma, Member (A)**

Surinder Singh son of Birbal Singh, resident of Kundu Niwas, S-9, Saket Extension, Azad Nagar, Hisar, District Hisar.

.....Applicant

Versus

1. Union of India through Secretary to Govt. of India, Staff Selection Commission, Department of Personnel and Training, New Delhi.
2. Staff Selection Commission, Department of Personnel and Training, North Western Regional Office, Block-C, Kendriya Sadan, Sector 9-A, Ground Floor, Chandigarh through its Deputy Regional Director.
3. Deputy Regional Director, Staff Selection Commission, Department of Personnel and Training, North Western Regional Office, Kendriya Sadan, Sector 9-A, Ground Floor, Chandigarh.

.....Respondents

**Present: Mr. Sanjeev Kodan, counsel for the applicant
Mr. D.R. Sharma, counsel for the respondents**

Order (Oral)

By Hon'ble Mr. Sanjeev Kaushik, Member(J)

1. Challenge herein to a show cause notice dated 06.08.2014 (Annexure A-7) whereby the applicant has been called upon to explain as to why his candidature for Combined Graduate Level

Examination, 2012 be not cancelled due to his involvement in malpractice/unfair means.

2. Learned counsel for the applicant submits that earlier also the applicant along with some other candidates was served with a charge sheet and was given punishment of debarment from appearing in SSC Examination for three years against which he approached this Tribunal by filing O.A. NO. 1640/HR/2013, which was disposed of with a direction to the respondents "to give him a fresh show cause notice to the applicant giving full details of the alleged malpractices and the detailed modus operandi adopted by the respondents in coming to this conclusion and after considering the representation submitted the final orders may be passed in the case".
 3. Learned counsel for the applicant contends that now a fresh show-cause notice has been issued to the applicant to which he has filed reply. However, no decision, whatsoever, has been taken in the matter. He further submits that an identical matter (**O.A. No. 1529/HR/2013 titled Pardeep Kumar Vs. Union of India & Another**) has been decided by this Court on 17.10.2014 and the applicant would be satisfied if the O.A. is disposed with a direction to the respondents to consider his claim in the light of the decision aforementioned and take a view thereon within a stipulated period.
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4. Issue notice to the respondents.
5. Mr. D.R. Sharma, learned Standing Counsel, accepts notice. He does not object to the disposal of the O.A. in the requested manner but further submits that the respondents may be granted reasonable time to take a view in the matter.
6. Accordingly, we dispose of the O.A., with a direction to the respondents to consider the claim of the applicant in the light of the decision rendered in the case of Pardeep Kumar(supra) and take a view within a period of three months from the date of receipt of a copy of this order. If the applicant is found to be similarly circumstanced as the applicant in the aforementioned case, the benefit of the decision in that case may be extended to him otherwise a reasoned and speaking order be passed with a copy to the applicant.
7. Needless to say that we have not expressed any opinion on the merits of the case.
8. Disposed of accordingly. No costs.

(UDAY KUMAR VARMA)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

PLACE: Chandigarh
Dated: 10.11.2014.

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