

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

O.A NO. 060/00565/2014

Date of decision -28.10.2014

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**CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)
HON'BLE MS. RAJWANT SANDHU, MEMBER (A)**

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Parmeshwar Singh, age 38 years, son of Sh. Ram Sewak Singh, R/o House No. 66/A, Gurdeep Colony, Behind Thapar College, Patiala.

...APPLICANT

BY ADVOCATE: Sh. Barjesh Mittal

VERSUS

1. Union Territory, Chandigarh Administration, through its Administrator, U.T. Civil Secretariat, Deluxe Building, Sector 9/D, Chandigarh.
2. Secretary Engineering, Union Territory, Chandigarh Administration, Deluxe Building, Sector 9/D, Chandigarh.
3. Union Public Service Commission, Dholpur House, Shahjahan Road, New Delhi through its Secretary.

...RESPONDENTS

BY ADVOCATE: Sh. Rakesh Verma, counsel for respondent no. 1 & 2.
Sh. B. B. Sharma, counsel for respondent no. 3.

ORDER (ORAL)

HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J):-

By means of the present Q.A, the applicant has challenged the impugned advertisement no. 10/2014 (Annexure A-1) issued by the UPSC, New Delhi, with further prayer to direct respondent no. 3 to

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follow the provisions contained in Punjab Service Engineers (Civil Wing), Department of Public Works (B and R Branch) Group 'A' Service Rules, 2005, with amended Rules of 2011.

2. Pursuant to notice, the respondent-Chandigarh Administration represented through Sh. Rakesh Verma, Advocate and the respondent-UPSC represented through Sh. B.B. Sharma, Advocate, put in appearance.

3. Sh. B.B. Sharma, learned counsel for respondent no. 3 has produced a copy of letter dated 26.08.2014 addressed to Sh. A.K. Duggal, Executive Engineer (W & E), Chandigarh Administration by Deputy Secretary wherein in para 5 & 6, the authorities have given their mind that they can not go ahead with the impugned advertisement. The relevant para 5 & 6 read as under:-

"5. In the above context, your attention is invited to O.A No. 060/00565/2014 (Sh. Parmeshwar Singh Vs. Union of India & Ors.) filed in CAT, Chandigarh Bench. UPSC is respondent no. 4 in this case. The O.A prays for quashing the Recruitment Advertisement issued by the Commission keeping in view ambiguity in age limit. The OA has also sought inclusion of Punjabi Language in the matriculation examination or its equivalent standard in the Recruitment Advertisement so as to follow the Punjab Service Rules in letter and spirit.

6. Keeping in view the above position, the recruitment process cannot be continued further by the Commission in respect of these posts. The Chandigarh Administration is requested to send a formal request for withdrawing the Recruitment Advertisements No. 6 of 2014 and 10 of 2014 at the earliest. Thereafter, the matter may be examined in detail by the Chandigarh Administration in the light of the Court case before taking a decision about release of fresh recruitment advertisement.

4. Sh. Rakesh Verma, learned counsel for respondent no. 1& 2 also produced a copy of letter written to him by Chief

Engineer, U.T., Chandigarh wherein it is submitted that Chandigarh Administration has been requested to send formal request for withdrawing the impugned advertisement and thereafter, matter will be referred for fresh proposal.

5. Sh. Rakesh Sukhija, Dealing Sr. Assistant, who is present in court made a statement at the bar that they have already decided to withdraw the impugned advertisement in terms of the letter of the UPSC and thereafter, fresh proposal will be submitted in accordance with rules and law.

6. Considering the above quoted part of the UPSC letter and the submission made by the counsel for the respondents that the authorities have already decided to withdraw the impugned advertisement, nothing survives in this O.A. and the same stands disposed of as infructuous.

7. No costs.


(SANJEEV KAUSHIK)
MEMBER (J)


(RAJWANT SANDHU)
MEMBER (A)

Dated: 28.10.2014

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