

CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH

O.A.NO. 060/00216/2014 Date of order:- March 18, 2014.

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

Hanish Gupta son of Parveen Kumar, resident of House No.424, Opp. Krishan Mandir, Arora Street, Malerkotla, District Sangrur, Punjab-148023.

.....Applicant

(By Advocate :- Mr. Gopal Singh Nahel)

Versus

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

...Respondents

O R D E R(Oral).

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

Heard Shri Gopal Singh Nahel, learned counsel for the applicant.

2. Admittedly, the instant Original Application is against the show cause notice dated 4.6.2013 to which the applicant has already filed reply on 14.6.2013. No order thereupon has been passed by the respondents till today. Therefore, the present Original Application is pre-mature as no order whatsoever has been passed against the applicant prejudicial to his rights and the respondents after considering his reply may drop the said show cause notice.

3. Reliance has been placed in this regard on the judgments passed by the Hon'ble Apex Court in the cases of **Union of India** versus **Brahm Dutt Sharma** (1987 A.I.R. S.C. Page 943); **Executive Engineer, Bihar State Housing Board** versus **Ramdesb Kuna Singh** (J.T. 1995(8) S.C. Page 331) and **Union of India & Another** versus **Kunisetty Satyanarayana**(A.I.R. 2007S.C. Page 906).

4. Faced with the above situation, the learned counsel for the applicant states that since the respondents have not taken any decision on the show cause notice to the applicant, as such, the right of the applicant has been prejudiced as he cannot appear in the

subsequent examination. Learned counsel for the applicant prays that a direction be issued to the respondents to take a final view in the matter in accordance with law.

5. Accordingly, we dispose of this OA in limine, with a direction to respondent no.2 to take a view in the matter by passing a reasoned and speaking order, in accordance with law, within a period of one month from the date of receipt of a certified copy of this order. Needless to say that we have not expressed any opinion on the merits of the case.

(UDAY KUMAR VARMA)
MEMBER (A).

(SANJEEV KAUSHIK)
MEMBER (J)

Dated: March 18, 2014.

Kks