**CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH
ALLAHABAD**

This is the **20TH** day of *JULY, 2018*.

ORIGINAL APPLICATION NO. 330/691/2018

HON'BLE MR GOKUL CHANDRA PATI, MEMBER (A).
HON'BLE MR RAKESH SAGAR JAIN, MEMBER (J).

1. Din Dayal, S/o Late K.C. Khare, EPFO Regional Office, 53, Leader Road, United Tower (3rd & 4th Floor), Allahabad (UP)-211003.
2. Amit Kumar, S/o Late S.S. Saxena, EPFO Regional Office, 381/1, Nawada Shekhan, Pilibhit Bypass, Bareilly-243001.
3. Ashish Raizada S/o Ashok Kumar Raizada EPFO Regional Office, 381/1, Nawada Shekhan, Pilibhit Bypass, Bareilly-243001.
4. Vikrant Singh, S/o Kirpal Singh EPFO Regional Office, A-2C, Sector-24 Noida (U.P.)-201301.
5. Krishna Kant Jha S/o Raj Kant Jha EPFO Regional Office, A-2C, Sector-24 Noida (U.P.) – 201301.
6. Manish Kumar Srivastava S/o Ramendra Kumar Srivastava EPFO Regional Office, A-2C, Sector-24 Noida (U.P.)-201301.
7. Manoj Kumar Jha S/o Rajendra Jha EPFO Regional Office, A-2C, Sector-24 Noida (U.P.) – 201301.
8. Sunil Kumar S/o Durga Lal EPFO Regional Office, A-2C, Sector-24 Noida (U.P.)-201301.
9. Lalit Narayan Prasad, S/o Sitaram Sah EPFO Regional Office, A-2C, Sector-24 Noida (U.P.)- 201301.
10. Rajeev Kumar S/o Nanak Chand EPFO Regional Office, A-2C, Sector – 24 Noida (U.P.)-201301.

……………Applicants.

VERSUS

1. Union of India, through its Secretary, Ministry of Labor & Employment, Government of India, Shram Shakti Bhawan, Rafi Marg, New Delhi-110001.
2. The Central Provident Fund Commissioner, Employees Provident Fund Organization, Bhavishyanidhi Bhavam, 14 Bhikaji Cama Place, New Delhi – 110066, representing the Central Board of Employees Provident Fund.
3. The Regional Provident Fund Commissioner (Exam) EPF Organization Head Office, Bhavishyanidhi Bhawan, 14 Bhikaji Cama Place, New Delhi – 110066.
4. The Additional Central Provident Fund Commisioner, EPF Organization, Zonal Office (UP), Nidhi Bhavan, Sarvodaya Nagar, Kanpur – 208005.

………………Respondents

Advocates for the Applicant : Shri G.D. Srivastava
Shri Anupam Kumar

Advocate for the Respondents : Shri Satyajeet Mukherjee

O R D E R
(Delivered by Hon'ble Mr. Gokul Chandra Pati, Member-A)

Heard Shri G D Srivastava, learned counsel for the applicant and Shri Satyajeet Mukherjee, learned counsel for the respondents are present.

2.   In the OA, the notification dated 05.12.2017 which has been forwarded by letter dated 08.12.2017 (Annexure No A-1 to the OA) has been challenged, since the applicant has been declared ineligible to appear in the Limited Departmental Competitive Examination (in short LDCE) to be conducted in pursuance of the said notification.

3.   Learned counsel for the respondents submitted that in a similar matter i.e., OA No. 642 of 2018, taking into account the fact that the respondents postponed the said examination, this Tribunal disposed of the said OA with the direction to the respondents that as and when the said LDCE is held, the applicant's eligibility may be considered and the applicant was also granted liberty that in case he feels aggrieved, he may move this Tribunal to revive the OA by recalling the order. It has also been submitted by the counsel for the respondents that the matter is under active consideration of the respondents.

4.   In view of the above factual position, since the examination as per the impugned notification has been cancelled by the respondents as stated by the respondents' counsel, it is felt that no purpose will be served in keeping this OA pending. As submitted by the learned counsel for the applicant, a fresh representation may be filed by the applicant stating his grievances and the respondents/competent authority on receipt of such a representation are directed to decide the same as per rules before the date for next LDCE is fixed. The decision so taken on the representation shall be communicated to the applicant.

5.   The OA is disposed of with the above direction. It is made clear that we have not entered into the merits of the case. No order as to costs.

(RAKESH SAGAR JAIN)   **(GOKUL CHANDRA PATI)**
     MEMBER-J   **MEMBER-A**

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