

**Central Administrative Tribunal
Principal Bench, New Delhi**

**CP-70/2017 in
OA-3239/2016**

**Reserved on: 20.09.2017
Pronounced on: 21.09.2017**

**Hon'ble Mr. Shekhar Agarwal, Member (A)
Hon'ble Mr. Raj Vir Sharma, Member (J)**

Bittoo
S/o Sh. Jagbir,
R/o Village Chuharpuir,
P.O. Daulha, Teh Sohna,
Gurgaon, Haryana-122103. Petitioner
(through Sh. Ajesh Luthra)

Versus

1. Sh. Ashim Khurana,
Chairman (Head Quarter),
Staff Selection Commission,
Block no. 12, CGO Complex,
Lodhi Road, New Delhi-110504.

2. Shri Gajender Singh Thakur,
Regional Director,
Staff Selection Commission (Northern Region),
Block no. 12, CGO Complex,
Lodhi Road, New Delhi-110504.

3. Sh. C.R. Sundaramurti
Controller
Controller General of Accounts
Ministry of Financ,
Lok Nayak Bhawan,
Khan Market, New Delhi-110511. Respondents

(through Sh. R.K. Sharma)

Hon'ble Mr. Shekhar Agarwal, Member (A)

This CP has been filed for alleged non compliance of our order dated 23.09.2016, the operative part of which reads as follows:

“5. *Prima facie*, something seems to have gone wrong in the office of SSC. Therefore, we dispose of this OA at this stage with a direction to SSC to re-verify whether the applicant had produced the certificate dated 06.11.2015 which is in the same format as prescribed in the advertisement and in case that is so, he may be issued an appointment letter with all consequential benefits of seniority and pay fixation. In case their finding is contrary, they shall pass a detailed speaking order. 90 days time frame is fixed for the respondents to comply with this order.”

2. In compliance thereof, the respondents have filed an affidavit on 24.05.2017 along with which is also attached an order passed by them on 06.12.2016. In their affidavit, in Para 2 they have stated that during document verification, the applicant had submitted his OBC certificate dated 09.03.2016 only. This certificate was not accepted as it was issued after the period stipulated in the notice of the said examination. They have further submitted that as per the records available in their office, the OBC certificate dated 06.11.2015 which was attached in the OA was not submitted by him at the time of his document verification.
3. Learned counsel Sh. Ajesh Luthra appearing for the petitioner disputed this contention of the respondents and stated that the applicant had submitted three OBC certificates at the time of document verification which included the certificate dated 06.11.2015 as well.
4. We have considered the submissions of both sides and have also perused the directions given by us in our order in question. We notice that the aforesaid

OA was decided at the admission stage without issuing notice to the respondents on the basis of submissions made by the applicant. Directions were given to the respondents to re-verify whether the applicant had produced the certificate dated 06.11.2015 at the time of document verification. Since the respondents have categorically asserted in their affidavit that the applicant had not produced certificate dated 06.11.2015 at the time of document verification, we are satisfied that the order of the Tribunal has been substantially complied with. We therefore close this CP and discharge the notices issued to the alleged contemnors. The petitioner shall however remain at liberty to avail of remedies under law.

(Raj Vir Sharma)
Member (J)

(Shekhar Agarwal)
Member (A)

/ns/