

**Central Administrative Tribunal
Principal Bench**

**OA No.1256/2016
MA No.2210/2016**

New Delhi, this the 26th day of July, 2016

**Hon'ble Mr. Justice Permod Kohli, Chairman
Hon'ble Mr. K. N. Shrivastava, Member (A)**

Birendra Kumar
S/o Late Adhin Yadav
R/o E-117/13, Shivaji Nagar,
Near Bust Stop No.6,
Bhopal, M. P. 462001. Applicant.

(By Advocates : Shri K. K. Jha Kamal and Shri Udhav Pratap)

Versus

1. The State of Madhya Pradesh
Through its Secretary
General Administration Department,
Vallabh Bhavan,
Bhopal 462001.
2. The Union Public Service Commission
Through its Secretary
Dholpur House, Shahjahan Road,
New Delhi 110 069.
3. Union of India
Through its Secretary
Ministry of Personnel
Public Grievances and Pensions,
Department of Personnel and Training,
New Delhi 110 003. ... Respondents.

(By Advocates : Shri Ashok Bhasin, Sr. Advocate assisted by Shri V. K. Shukla, learned counsel for State of MP.
Shri R. V. Sinha for UPSC.
Shri Gyanendra Singh for Union of India).

: O R D E R (ORAL) :

Justice Permod Kohli, Chairman :

Vide order dated 11.12.2015, Hon'ble the Supreme Court has
desired that this matter should be given expeditious hearing.

2. We find that in the instant OA even notice has not been issued.
The file has been transferred from CAT, Jabalpur Bench to Principal

Bench of this Tribunal. Even without notice being issued, the applicant has filed a miscellaneous application, MA No.2210/2016 with the prayer that the averments made in this Application may be treated as clarification with the main OA and no amendment is required.

3. We are not inclined to accept this proposition. The lengthy averments made in the misc. application clearly indicate that the applicant intends to add facts and legal propositions to the main OA. We also find that the selectees/appointees who have been inducted into IAS from the services other than State Civil Service have not been impleaded as party respondents. Since the selection process has been called in question, and the applicant also seeks his own induction under the same category, it is necessary that all inductees should be impleaded as party respondents.

4. In this view of the matter, Shri K. K. Jha, learned counsel for the applicant seeks to withdraw this OA as well as MA No.2210/2016 with liberty to file a fresh one with comprehensive averments and impleading all the selectees/appointees as parties. Prayer is allowed.

5. The OA is accordingly dismissed as withdrawn with the above liberty.

(K. N. Shrivastava)
Member (A)

(Justice Permod Kohli)
Chairman

/pj/