

Central Administrative Tribunal Principal Bench, New Delhi

OA No.1053/2017

This the 14th day of September, 2017

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

Sunil Kumar Verma
S/o Shri Mool Chand Verma
R/o Vill & P.O. Sakoti Tanda
Distt. Meerut, Tehsil-Sardhna-250223
Aged about 29 years ...Applicant
Group 'C'

(By Advocate : Sh. Ajesh Luthra)

Versus

1. Union of India through its Secretary
Department of Personnel & Training
Ministry of Personnel, Public Grievance & Pension
North Block, New Delhi.
2. Staff Selection Commission
Through its Chairman(Head Quarter)
Block No.12, CGO Complex
Lodhi Road, New Delhi-110091.Respondents

(By Advocate : Sh. Yogesh Mahur for Sh. Gyanendra Singh)

ORDER (ORAL)

Mr. Shekhar Agarwal, M(A)

This OA has been filed seeking the following reliefs :-

- "(a) Call for the records of the case.
- (b) Quash and set aside the impugned action/order of the respondents rejecting the applicant's

candidature reflected in their impugned decision dated 02/01/2017 placed at Annexure A/1 and the reasons assigned by way of Annexure A/2 published on 25.1.2017 to the extent it relates to the applicants.

- (c) Direct the respondents to restore the candidature of the applicants in the ongoing selection process of Junior Engineers (Civil, Mechanical, Electrical, Quantity Surveying & Contract) Examination 2015 and further consider the applicants case for appointment as per his merit position in the concerned subject alongwith others.
- (d) Accord all consequential benefits.
- (e) Award costs of the proceedings; and
- (f) Pass any order/relief/direction(s) as this Hon'ble Tribunal may deem fit and proper in the interests of justice in favour of the applicants."

2. The respondents have filed their reply. Today, when this matter was taken up, learned counsel for the applicant submitted that this case is squarely covered by the judgment of this Tribunal in OA No. 215/2017 pronounced on 21.02.2017 along with OA No. 263/2017 and OA No. 391/2017. He further submitted that the aforesaid judgment of the Tribunal has been upheld by the Hon'ble High Court of Delhi in Writ Petition Nos.6086/2017, 5948/2017 and 4829/2017. He seeks benefit of the aforesaid judgements in his case as well. Learned counsel for the respondents, Sh. Yogesh Kumar Mahur, while agreeing that this case is covered by the judgment of this Tribunal in OA No.215/2017-***Sh. Sumit Kumar vs. UOI & Ors.***, also stated that

in a similar case, Allahabad High Court has dismissed the Writ Petition.

3. Be that as it may, since it has been conceded that this case is covered by OA No.215/2017, we allow this OA and direct the respondents to extend the same benefits to the applicant herein as were granted in the case of Sh. Sumit Kumar in OA No.215/2017. These benefits be granted within eight weeks of receipt of certified copy of this order. No costs.

(Raj Vir Sharma)
Member (J)

(Shekhar Agarwal)
Member (A)

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