

**Central Administrative Tribunal  
Principal Bench**

**OA No.4344/2013**

New Delhi, this the 23<sup>rd</sup> day of October, 2018

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman  
Hon'ble Mr. Pradeep Kumar, Member (A)**

Tushar Kesharao Deshmukh  
Aged 37 years,  
S/o Shri Kesharao Deshmukh  
R/o New Khetan Nagar, Kaulkhed,  
At Post- Gandhinagar, Akola,  
Ta-Distt., Akola 444004,  
Maharashtra.

... Applicant.

(By Advocate : None)

Versus

1. Union Public Service Commission  
Through Secretary  
Dholpur House,  
Shahjahan Road,  
New Delhi 110 003.

2. Union of India  
Through Secretary  
M/o Personnel, P.G. & Pensions,  
North Block,  
New Delhi.

... Respondents.

(By Advocate : Shri Rajinder Nischal)

**: O R D E R (ORAL) :**

**Justice L. Narasimha Reddy, Chairman:**

This OA was heard at length on 09.12.2015. It was mentioned at that time that the question involved in the OA is the same as the one in OA Nos.3439, 3209, 3493, 3494 and 3988/2011, and that the said batch of OAs were decided on 13.05.2012 by this Tribunal.

2. It is also noticed that challenging the common judgment dated 13.05.2012 in the said OAs, W.P. (C) No.4902/2013 was filed before the Delhi High Court, and on dismissal of the same on 11.10.2013, an SLP was filed before the Hon'ble Supreme Court. In that view of the matter, the OA was adjourned from time to time.

3. The record discloses that the subject matter of this OA is the same as in OA 3439/2011 and batch, decided on 13.05.2012. The same was upheld by Delhi High Court in W.P. (C) No.4902/2012, as of now, the matter is said to be pending in the Hon'ble Supreme Court. We, therefore, dispose of this OA by granting the same relief as in OA No.3439/2011 and batch vide common order dated 13.05.2012, as affirmed by the Delhi High Court in the aforesaid writ petition. However, the same shall be subject to the outcome of the SLP that was filed before the Hon'ble Supreme Court against the judgment of the High Court.

**(Pradeep Kumar)**  
**Member (A)**

**(Justice L. Narasimha Reddy)**  
**Chairman**

/pj/