

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

OA-755/2018

New Delhi, this the 19th day of July, 2018

Hon'ble Sh. V. Ajay Kumar, Member(J)
Hon'ble Sh. A.K. Bishnoi, Member(A)

Lokesh Kumar, (Appointment) Group 'C',
Roll No. 2201571328
Aged about 30 years,
S/o Sh. Umed Singh,
R/o VPO Kurar,
Tehsil Kharkhoda,
Distt. Sonapat, Haryana-131402.

... Applicant

(Through Sh. M.K. Bharadwaj)

Versus

1. Union of India
Through Secretary,
DOP&T, North Block, New Delhi.

2. Staff Selection Commission,
Through its Chairman,
Block No. 12, CGO(Complex)
Lodhi Road, New Delhi.

3. The Regional Director,
Staff Selection Commission,
Block No. 12, CGO(Complex),
Lodhi Road, New Delhi.

... Respondents

(through Sh. Rajesh Katyal)

ORDER(ORAL)

Hon'ble Sh. V. Ajay Kumar, Member(J)

The applicant filed the OA seeking a direction to declare his result of the Combined Graduate Level Examination, 2012 and to consider his case for appointment, as per his merit, as per the decision of the Hon'ble Apex Court in **Staff Selection Commission vs. Sudesh**-Civil Appeal No. 2836-2838/2017 dated 19.07.2017.

2. When this matter is taken up for hearing, it is noticed that the subject matter of this OA is squarely covered by various decisions of this Tribunal as upheld by Hon'ble Apex Court. Learned counsel for the applicant placed one such decision, i.e., in OA No. 4462/2017 dated 15.12.2017 in the case of **Yashpal Gahlawat vs. SSC & Ors.** and the same reads as under:

“Learned counsel for the applicant states that the issue in hand is completely covered by the judgment passed by the Hon'ble High Court of Delhi on 6.12.2017 in W.P. (C) 10824/2017, **Amit Chhikara Vs. Union of India and ors.** The judgment passed by the Hon'ble High Court in Amit Chhikara (supra) is based on the judgment passed by the Hon'ble Apex Court in **Staff Selection Commission, Thr. Its Chairman and anr. Vs. Sudesh**, Civil Appeal (Nos).2836-2838/2017. Accordingly, the learned counsel for the applicant states that the Show Cause Notice dated 27.05.2013, issued to the applicant, be quashed and set aside.

2. Learned counsel for the respondents states that the applicant has come before this Tribunal at a belated stage as the Show Cause Notice is dated 27.05.2013.

3. It is seen that in the case of Amit Chhikara (supra) before the Hon'ble High Court, the Show Cause Notice was dated 14.06.2013 but the Hon'ble High Court disposed of the Writ in the light of the judgment of the Hon'ble Apex Court in Sudesh (supra).

4. Accordingly, the Show Cause Notice dated 27.05.2013 is quashed and set aside and the respondents are directed to grant the same benefit to the applicant as has been granted in the case of Sudesh (supra), within a period of three months of the receipt of a certified copy of this order. The OA is disposed of.

3. Sh. Rajesh Katyal, learned counsel appearing for the respondents also submits that he has received instructions through mail that the respondents are considering the case of the applicant to declare his result.

4. In the circumstances and for parity of reasons, the instant OA is allowed and the impugned show cause notice Annexure A-1A dated 03/15.01.2014 is quashed and set aside. The respondents are directed to grant the same benefit to the applicant as has been granted to the applicant in the case of Sudesh(supra) within two months from the date of receipt of a certified copy of this order. No costs.

(A.K. Bishnoi)
Member(A)

(V. Ajay Kumar)
Member(J)

/ns/