

CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH
CHANDIGARH

This the 13th day of August, 2018

CP No. 060/7/2018
MA No. 060/1225/2018
OA No. 060/1124/2017

CORAM: HON'BLE MR.SANJEEV KAUSHIK, MEMBER(J)
HON'BLE MRS. P. GOPINATH, MEMBER(A)

Partap Singh Birthal son of Shri Ram Chand, resident of H. No. 282, Sector 26, Panchkula

Versus

1. Mr. T. Jacob, Secretary, Union Public Service Commission, Union Public Service Commission Building, Shah Jahan Road, New Delhi.
2. Shri S.N. Roy, Principal Secretary to Government of Haryana, Department of Forest and Wild Life, Haryana New Secretariat, Sector 17, Chandigarh.

Present: Sh. Arjun Partap Atma Ram, counsel for the applicant.
Sh. B.B. Sharma, counsel for respdt.No.1
Sh. Sh. Pravinder Singh Chauhan, Addl. AG alongwith Sh. Samarveer Singh

ORDER (ORAL)

MA. No. 1225/2018

This MA has been filed by State of Haryana seeking exemption of personal appearance of Chief Secretary, Haryana who has been ordered to be present today in the court.

Heard Sh. Pravinder Singh Chauhan, Addl. AG alongwith Sh. Samarveer Singh.

Notice.

Sh. Arjun Partap Atma Ram, learned counsel appearing on behalf of the applicant in OA, accepts notice of MA.

For the reasons stated in MA itself, this MA is allowed and personal appearance of Chief Secretary is exempted. However, as submitted in para 4 of MA, respondents are required to file complete record of the case including concrete/definite decision taken by the Government by way of separate affidavit. Sh. Chauhan stated that he will be filing the same today itself.

CP No. 060/0007/2018

After hearing learned counsel for the parties, Sh. Chauhan, learned Addl. AG, appearing on behalf of State of Haryana, stated at the bar that they have already forwarded the recommendation qua the petitioner vide letters dated 09.11.2016 (Annexure A-2) and 19.01.2017 (Annexure A-3) with the CP, but the same was returned by UPSC by raising certain objections.

It is, therefore, submitted that since the directions in the OA were only for UPSC to reconvene the Review DPC, therefore, no direction is required to be complied with by the State of Haryana.

Sh. Arjun Partap Arma Ram, learned counsel appearing on behalf of the petitioner submitted that the respondents have themselves withdrawn the recommendation as above vide letter dated 14.03.2018, and as such, CP is maintainable.

Sh. Chauhan submits that he is already in receipt of the instructions to state at the bar that the earlier recommendations made qua the

petitioner vide letters Annexures A-2 and A-3 will be reiterated for re-convening the Review DPC in the case of the petitioner and other eligible persons at the shortest possible.

In this view of the matter, since the State of Haryana reiterates its earlier recommendations qua the petitioner along with eligible persons, the UPSC is directed to convene a meeting of the Review DPC as per the directions of the court of law. Needful may be done by State of Haryana within four weeks and subsequently the matter may be decided by the UPSC within one month further thereafter.

In view of the above, this CP is closed at this stage, but with liberty to the petitioner to get it revived if need so arises. Notices issued stand discharged.

**(P. GOPINATH)
MEMBER (A)**

**(SANJEEV KAUSHIK)
MEMBER (J)**

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