

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

O. A. No.060/01287/2017

Date of decision: 03.11.2017

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

Sh. Pradeep Kumar aged 27 year, post Sub Inspector (Executive) in Delhi Police Group C Post, Resident of Village and Post Office Gamra The Narnaund-Hisar-125039.

... APPLICANT

VERSUS

1. Union of India through Secretary to Government of India, Ministry and Department of Personnel and Training, Lok Nayak Bhawan, Khan Market, New Delhi-110003.
2. The Deputy Regional Director, Staff Selection Commission (SSC) North Western Regional Office Kendriya Sadan, Sector-9, Chandigarh-160017.

... RESPONDENTS

PRESENT: Mr. Mohammad Arshad, counsel for the applicant.

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J):-

1. The applicant has challenged the correctness of show cause notice dated 11.06.2014 (Annexure A-11), whereby not only his candidature has been proposed to be rejected, but he has also been debarred from appearing in examination to be conducted by the respondent department. At earlier point of time, applicant had approached this Tribunal by filing O.A. No.060/01023/2015 impugning the same very order. After noticing the fact that the applicant has been issued show cause notice to which applicant has not filed reply and matter was pending before the respondents, therefore, the O.A. was dismissed on 29.11.2016 being premature,

with liberty to the applicant to approach Court of law if anything goes against him after decision on show cause notice. The applicant has filed the instant O.A. by impugning the same very order submitting that similar matter has already been decided by the Supreme Court on 19.07.2017 in Civil Appeal Nos.2836-2838 of 2017 titled Staff Selection Commission Vs. Sudesh & Ors. Learned counsel prayed that since the respondents have not taken any decision on the show cause notice, therefore, this O.A. may be decided in accordance with latest judgment passed against the respondents in some other case.

2. Considering that earlier O.A. was disposed of by this Court being premature as the respondents had not taken any view on the show cause notice. Even now the situation which was there when first petition was filed has not changed as the respondents have not passed any order. Accordingly, this O.A. is disposed of with a direction to the respondents to take a view on the pending show cause notice, if not already decided, by considering the aforesaid judgment relied upon by the applicant within a period of one month from the date of receipt of a certified copy of this order. Order so passed be duly communicated to the applicant.
3. Disposal of the O.A. shall not be construed as an opinion on the merit of this case.

(P. GOPINATH)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Date: 03.11.2017.
Place: Chandigarh.
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