

**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH**

**OA No.1611/2016**  
MA No. 1589/2016

New Delhi this the 8<sup>th</sup> day of January, 2019

**Hon'ble Ms. Nita Chowdhury, Member (A)**  
**Hon'ble Mr. S.N. Terdal, Member (J)**

1. Pankaj Kumar Gupta, aged 27 years,  
s/o Sh. Manik Chand Sah,  
r/o Rampur Nahar Road,  
PO Mahandra, PS Bahadurpur,  
Distt. Patna (Bihar)
2. Pawan, aged 26 years,  
s/o Sh. Vijay Sharma,  
r/o Village & PO Jhunathi Khurd,  
Distt. Jehanabad, (Bihar)
3. Rajani Kant Paswan, aged 30 years,  
s/o Sh. Kamata Paswan,  
r/o vill & PO Khaira, Distt. Nalanda,  
(Bihar)
4. Dharmendra Kumar aged 27 years,  
s/o Sh. Laxman Sah,  
r/o Mushallahpur Hat,  
PO Mahendru, Distt. Patna (Bihar)

- Applicants

(By Advocate: Shri Yogesh Sharma)

VERSUS

1. Union of India through the Secretary,  
Ministry of Personnel & Training,  
Govt. of India, New Delhi
2. The Secretary,  
Staff Selection Commission,  
CGO Complex, Lodhi Road,  
New Delhi
3. The Regional Director (Central Region)  
Staff Selection Commission  
21-23, Lowther Road, Allahabad-211002
4. The Comptroller & Auditor General of India,  
9, Deendayal Upadhyaya Marg,  
New Delhi-24

- Respondents

(By Advocate: Mr. SK Tripathi for Mr. Gyanendra Singh)

**O R D E R (Oral)**

**Ms. Nita Chowdhury:**

MA No. 1589/2016 for joining together is allowed for the reasons stated therein.

2. The applicants have filed this Original Application (OA), claiming the following reliefs:-

- “(i) That the Hon’ble Tribunal may graciously be pleased to pass an order, declaring to the effect that the whole action of the respondents, not given posting to the applicants to the post of Date Entry Operator on the basis of Combined Higher Secondary Level (10+2) Exam-2011 & 2012, is illegal, arbitrary and violates Art. 14 and 16 of the Constitution of India and consequently, pass an order directing the respondents to pass an appropriate posting orders of the applicants immediately without any further delay, with all the consequential benefits including fixation of pay, fixation of seniority and arrears of pay and allowances from the date of posting/joining of similarly situated persons of the same selection.
- (ii) That the Hon’ble Tribunal may graciously be pleased to pass an order of imposing heavy costs on the respondents.
- (iii) Any other relief which the Hon’ble Tribunal deem fit and proper may also be granted to the applicants with the costs of litigation.”

3. When the matter is taken up, counsel for the applicants informs us that though the respondents have finally passed the order appointing the applicants to the post in question, however, they have yet to pass the order with regard to consequential benefits, including fixation of pay, seniority and other prayers made by them in this OA. The respondents are directed to pass a detailed speaking order in this regard within a period of 90 days from the date of receipt of a copy of this order.

4. With the above directions, the OA stands disposed of. No order as to costs.

**(S.N. Terdal)**  
**Member (J)**

**(Nita Chowdhury)**  
**Member (A)**

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