

**Central Administrative Tribunal
Principal Bench, New Delhi**

O.A. No.4147/2017

Tuesday, this the 2nd day of April 2019

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)

Nishant Kumar s/o Sh. Madan Mohan Mehta
r/o Uttari Gali, Gaighat
PO Gulzarbagh, Patna 8000007
Bihar
(Aged about 25 years)
Candidates towards CHSL Exam 2016)

...Applicant

(Mr. Mayank Joshi, Advocate for Mr. Ajesh Luthra, Advocate)

Versus

1. Union of India through its Secretary
Department of Personnel & Training
Ministry of Personnel, Public Grievance & Pension
North Block, New Delhi
2. Staff Selection Commission
Through its Chairman (Head Quarter)
Block No.12, CGO Complex
Lodhi Road, New Delhi – 110 054
3. Staff Selection Commission (Central Region)
Through its Regional Director
8 A-B, Beli Road, Allahabad – 211002

(Respondent No.3 to be served through respondent No.2)

...Respondents

(Mr. D S Mahendru, Advocate)

O R D E R (ORAL)

Justice L. Narasimha Reddy:

In response to an Advertisement issued by the Staff
Selection Commission (SSC) for the posts of Postal

Assistants/Sorting Assistants/Data Entry Operators and Lower Division Clerks, the applicant offered his candidature. However, he was not considered by the respondents, as reflected in the order dated 27.10.2017. This O.A. is filed challenging the decision of the respondents. A direction has also been sought to the respondents for restoration of his candidature in the ongoing selection process of Combined Higher Secondary Level (10+2) Examination, 2016.

2. The O.A. was adjourned *sine die* through an order dated 31.01.2019, taking note of an order dated 20.09.2018 passed by Hon'ble Supreme Court in SLP (C) No.31442/2018.

3. We heard Mr. Mayank Joshi for Mr. Ajesh Luthra, learned counsel for applicant and Mr. D S Mahendru, learned counsel for respondents.

4. Identical question was dealt with by the Tribunal in O.A. No.263/2017 and batch, filed by Mr. Avinash Chandra Singh & others. The O.A. was allowed by this Tribunal through an order dated 21.02.2017. Aggrieved by that, the respondents filed W.P. (C) No.6086/2017 before the Hon'ble Delhi High Court. The W.P. was dismissed on 29.08.2017. Thereupon, they approached the Hon'ble Supreme Court by filing SLP (C) No.31442/2018. Through an order dated 20.09.2018, the operation of the judgment in the W.P. was stayed by the Hon'ble Supreme Court. In that view of the matter, no relief can be granted to the applicant at this stage.

5. We, therefore, dispose of the O.A. leaving it open to the applicant to claim the reliefs depending on the outcome of Civil Appeal that may arise out of SLP (C) No.31442/2018.

There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

April 2, 2019
/sunil/