

**Central Administrative Tribunal
Ernakulam Bench**

OA No.180/00856/2018

Wednesday, this the 26th day of June, 2019.

CORAM

Hon'ble Mr.E..K.Bharat Bhushan, Administrative Member
Hon'ble Mr.Ashish Kalia, Judicial Member

Haniya, aged 23 years
D/o Muhammed Ali
Karivattil House, Vadakkangara, Mankada
Malappuram District-679 324.

Applicant

(Advocate: Mr.Manzoor Ali K.A.)

versus

1. The Union of India represented by
Secretary, Ministry of Personnel Affairs
Department of Personnel & Training
North Block, New Delhi-110 001..
2. Office of the Chief Commissioner for
Persons with Disabilities,
Ministry of Social Justice and Empowerment
Government of India, North Block
New Delhi-110 001.
3. The Union Public Service Commission
represented by its Secretary, Dholapur House
Shahjahan Road, New Delhi-110 069.
4. The Chairperson
Union Public Service Commission
Dholapur House, Shahjahan Road,
New Delhi-110 069.

5. The Chairman
Railway Board, Rail Bhavan,
New Delhi-110 001.

Respondents

Advocates:

Mr.Anil Ravi, ACGSC for R1&2

Mr.Thomas Mathew Nellimoottil, Sr.PCGC for R3&4.

The OA having been heard on 26th June, 2019, this Tribunal delivered the following order on the same day:

O R D E R (oral)

By E.K.Bharat Bhushan, Administrative Member

Sri Ashok Kumar Kaudal, Section Officer, UPSC and Ms.Sherly S.Thomas, Assistant Section Officer, UPSC are present.

2. Today when the matter was taken up, Sri Thomas Mathew Nellimoottil, Nodal Counsel for UPSC submitted an affidavit filed by the Chairman of the UPSC, the 5th respondent who has since been deleted from the array of parties. As mentioned in the affidavit, a sealed cover was submitted by the learned Nodal Counsel, which was opened by the Bench. On scrutiny of the same. it is seen that the contents are in a single sheet indicating the result of the Engineering Service (Preliminary/Stage-I Exam, 2019) with respect to the applicant Kum. Haniya with Roll No.1201940. From a perusal of the sheet, it is seen that she has not qualified in the Preliminary Examination. Hence the question of permitting her to participate in the main examination does not arise. In view of this, the OA is dismissed. As a result, M.A.No.562/2019 for an interim direction to

the 3rd respondent to permit the applicant to participate in the Engineering Service (Main) Examination, 2019 scheduled for 30.6.2019 does not survive and is also dismissed.

(Ashish Kalia)
Judicial Member

(E.K.Bharat Bhushan)
Administrative Member

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Annexures filed by the applicant:

- Annexure A1: Copy of the Standing Disability Assessment Board Certificate dated 8.11.2012 issued to the applicant.
- Annexure A2: Copy of the B.Tech Certificate of the applicant issued by the Indian Institute of Technology, Madras.
- Annexure A3: Copy of the B.Tech grade card of the applicant issued by the Indian Institute of Technology, Madras.
- Annexure A4: Copy of the Grade Sheet of the applicant for Secondary School Examination dated 21.5.2012 issued by the Central Board of Secondary Education, Delhi.
- Annexure A5: Copy of the mark sheet of applicant for Higher Secondary Examination dated 13.5.2014 issued by the Government of Kerala.
- Annexure A6: Copy of the notification issued by the UPSC for Engineering Service Examination, 2019.
- Annexure A7: Copy of the Hall Ticket issued to the applicant.
- Annexure A8: Copy of the relevant page of the result published by the Union Public Service Commission dated 28.2.2019.
- Annexure A9: Copy of the e-mail sent by the applicant to the UPSC.

Annexures filed by the respondents:

- Annexure R1: Copy of order dated 21.9.2006 in CCP No.121/2006 in OA No.86/2005.
- Annexure R2: Copy of letter Sl.No.1(I) dated 3.5.2018.