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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

OA NO. 344/2003

This the 18th day of May, 2004

HON'BLE SH. KULDIP SINGH, MEMBER (J)
HON'BLE SH. S.K. NAIK, MEMBER (A)

S.S. Bisht,
S/o Sh. Bhampa Singh
R/o Quarter No. 1725, Type-II,
N.H.-4, Faridabad (Haryana).

(By Advocate: Sh. S.K. Gupta proxy for
Sh. B.S. Gupta)

Versus

1. Union of India
through Secretary,
Ministry of Water Resources,
Shram Shakti Bhawan,
Parliament Street,
New Delhi-110001.
2. Chairman,
Central Ground Water Board,
Ministry of Water Resources,
N.H-4, Faridabad (Haryana).
3. Director (Administration),
Central Ground Water Board,
N.H-4, Faridabad
(Haryana).

(By Advocate: Sh. A.K. Bhardwaj)

O R D E R (ORAL)

By Sh. Kuldip Singh, Member (J)

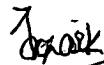
Present application has been filed whereby applicant has challenged the order dated 27.12.2002 vide which the representation of the applicant has been rejected. The said order is Annexure A-1. The department had held departmental competitive examination for 2 posts of Assistant which was held on 9.4.2002 and 10.4.2002. Applicant applied for revaluation. On going through revaluation process, department cancelled the examination and decided to hold fresh examination.

2. However, one of the person had gone to Central

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Administrative Tribunal, Hyderabad Bench and his OA was allowed as it was found that even after revaluation or recalculation the applicant in the said OA is still at Sl. No.1. Accordingly that OA was allowed and respondents were directed to treat the applicant to have been promoted as Assistant on and from 14.5.2002. But it was with respect to only one post and the judgment is *in personam* and not *in rem* as the Hyderabad Bench did not record any finding about the process of holding the examination.

3. Respondents in their reply have also submitted that department had already taken a decision to cancel the examination, so we find that this OA can be disposed of at this stage with the direction to the respondents to fill up the second vacancy in accordance with rules and law on the subject at their earliest. No costs.



(S.K. NAIK)
Member (A)



(KULDIP SINGH)
Member (J)

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