

**CENTRAL ADMINISTRATIVE TRIBUNAL,
MUMBAI BENCH, MUMBAI.**

O.A.No.671/2015

O.A.No.475/2015

Date of decision : October 11, 2019.

Coram: Dr.Bhagwan Sahai, Member (Administrative)
R.N. Singh, Member (Judicial).

(Applicant in OA No.475/2015)

1. Girish T.
Son of Late T. Keshavan Nair
About 43 years,
Working as Stenographer Gr-I
in the Office of the Textile
Commissioner, New CGO Building,
48, New Marine Lines,
Mumbai-400020.

Residing at:

Flat No.903, Building No.96,
Sector-I, CGS Quarters,
Kane Nagar, Antop Hill,
Mumbai-400037.

(Applicant in OA No.671/2015)

1. Girish T.
(Son of Late T. Keshavan Nair)
Date of Birth: 10.12.1972,
Age: 43 years,
Working as: Stenographer
Grade-I (Group 'B' post)
in the office of the Textile
Commissioner, New CGO Building,
48, New Marine Lines,
Mumbai-400020, of and residing at:
Flat No.903, Building No.96,
Sector-I, CGS Colony, Antop Hills,
Kane Nagar, Mumbai-400 037,
State of Maharashtra.

.. applicants.

(By Advocate Shri R. G. Walia).

Versus**(Respondents in OA No.475/2015)**

1. Union of India
Notice to be served through
The Secretary,
Ministry of Textiles,
Udyog Bhavan,
New Delhi-110011.
2. The Secretary,
Government of India
Ministry of Personnel, Public
Grievances and Pensions,
Department of Personnel
& Training, North Block,
New Delhi-110001.
3. The Secretary,
Union Public Service Commission,
Dholpur House,
Shahajahan Road,
New Delhi-110069.
4. The Textile Commissioner
Government of India
Ministry of Textiles,
Office of the Textile Commissioner,
New CGO Building,
48, New Marine Lines,
Mumbai-400020.

(Respondents in OA No.671/2015)

1. Union of India,
Through: The Secretary,
Ministry of Textile, Udyog Bhavan,
New Delhi-110 011.
2. The Secretary,
Union Public Service Commission,
Dholpur House,
Shahajahan Road,
New Delhi-110069.
3. The Textile Commissioner

Government of India,
Ministry of Textiles,
Office of the Textile Commissioner,
New CGO Building, 48,
New Marine Lines,
Mumbai-400020.

.. Respondents.

(By Advocates Shri R. R. Shetty and Shri V. B. Joshi).

O R D E R (O R A L)

Per : R. N. Singh, Member (Judicial)

Present.

1. Shri R. G. Walia, learned counsel for the applicants in both the OAs.
2. Shri R. R. Shetty along with Shri V. B. Joshi, learned counsels for the respondents in both the OAs.
3. In OA No.475/2015, the applicant is stated to be aggrieved by the office memorandum no.14017/101/91-Estt(RR) dated 14.07.1993 and office memorandum no.28011/1/2013-Estt(C) dated 23.12.2013 issued by the DoP&T only to the extent by which the candidature of the applicant was prevented from being forwarded for being considered for the post of Deputy Director (Non-Technical) in the office of the Textile Commissioner, Mumbai on direct recruitment basis.
4. In OA No.671/2015 the applicant has challenged the action of the respondent no.2 i.e.

UPSC of declaring the applicant "Lacking Essential Qualification" for consideration of his candidature for one post of Deputy Director (Non-Technical) in the office of the respondent no.3 i.e. Textile Commissioner, which was advertised by the respondent no.2 at the instance of the respondent no.3.

5. Pleadings in the aforesaid OAs are complete and the OAs are listed for final hearing. In OA No.671/2015 this Tribunal had passed interim order dated 26.11.2015 directing the UPSC to allow the applicant to appear in the interview scheduled to be held on 27.11.2015 for selection to the post of Deputy Director (Non-Technical) in the office of the Textile Commissioner, Mumbai. While directing so the Tribunal had made it clear that the UPSC shall not declare the result of such interview in respect of the applicant and the applicant cannot also claim selection based on such interview unless the relief claimed in the OA is granted.

6. Today when the matter is taken up for hearing, Shri V. B. Joshi, learned counsel appearing for the UPSC has brought the result of the selection process conducted by the UPSC in respect of the aforesaid post Deputy Director (Non-Technical) in the

office of the Textile Commissioner in a sealed cover for perusal of the Tribunal. We have opened the sealed cover and perused the result which had been prepared by the UPSC and it is found that the applicant has not been recommended for the aforesaid post.

7. In view of the above, we are of the opinion that now the matter remains only of academic nature. Accordingly, leaving the issue raised in the OA open, we dismiss the aforesaid OAs.

8. The result produced by Shri V. B. Joshi, learned counsel is returned to him in sealed cover.

9. In the facts and circumstances, no costs.

(R. N. Singh)
Member (J)

(Dr. Bhagwan Sahai)
Member (A)

V.

JD
22/10/19

