

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

OA-3195/2017

New Delhi this the 13th day of September, 2017

Hon'ble Sh. Shekhar Agarwal, Member (A)

Hon'ble Sh. Raj Vir Sharma, Member (J)

1. Rajesh Kumar Ojha, Recruitment (Group 'C'),
Aged about 40 years,
S/o Sh. Murali Dhar Ojha,
R/o Flat No. 90, Plot 3, Sec-7,
Rashi Apartment, Dwarka,
New Delhi-110075.
2. Rajeev Locha, Recruitment (Group 'C'),
Aged about 40years,
S/o Sh. Tarkeshwar Prasad,
R/o Flat No. 179-180 (UGF), Gali No. 08,
T-Extn., Vishwas Park, Uttam Nagar,
New Delhi-110059.
3. Pradeep Kumar, Recruitment (Group 'C'),
Aged about 24 years,
S/o SH. Bal Kishan,
R/o A-12, Near Radhe Shyam Dairyom Vihar,
Uttam Nagar West, New Delhi.
4. Ashok Kumar Meena, Recruitment (Group 'C'),
Aged about 28 years,
S/o Sh. Ram Kanwar Meena,
R/o Room No. 4, H.No. 9,
Ber Sarai, New Delhi-110016.
5. Kumar Rishi, Recruitment (Group 'C'),
Aged about 26 years,
S/o Sanjay Kumar Pandey,
R/o C-1/18, Rama Park, Uttam Nagar,
Near Dwarka Mor Metro Station,
New Delhi.
6. Mukesh, Recruitment (Group 'C'),
Aged about 38 years,
S/o Sh. Vijay Singh,
R/o H. No. RZ G-54, Gali No. 4,
Upper Ground Floor, Dabri Extn.
New Delhi-110045.
7. Neeraj, Recruitment (Group 'C'),
Aged about 24 years,

S/o Sh. Jagdish,
R/o E-41, PHP Sec-16 B, Dwarka,
New Delhi-110078.

8. Mahan Singh Sekhon, Recruitment (Group 'C'),
Aged about 27 years,
S/o Sh. Mahinder singh Sekhon,
r/o 6/32, 3rd Floor, Old Rajendra Nagar,
New Delhi-110060.

9. Jayant Srivastava, Recruitment (Group 'C'),
Aged about 25 years,
S/o Sh. Jagat Kishore Srivastava,
R/o RZ-16, C-3, Back Side, D-Block,
Sitapuri, New Delhi-110045. ...

Applicants

(through Sh. M.K. Bharadwaj)

Versus

1. Staff Selection Commission,
Through its Chairman,
CGO Complex, Lodhi Road,
New Delhi.

2. The Secretary,
Staff Selection Commission,
CGO Complex, Lodhi Road,
New Delhi. ...

Respondents

(through Sh. J.P. Tiwari for R-1)

ORDER (ORAL)

Mr. Shekhar Agarwal, Member (A)

MA No. 3376/2017 filed for joining together is allowed.

OA No. 3195/2017

This OA has been filed seeking the following reliefs:

“(i) to declare the action of respondents in cancelling the candidature of applicants as illegal and issue appropriate directions to include the name of applicants in the select list on the basis of their marks obtained in TIER-I, TIER-II & TIER-III Examination of CGLE 2016 and forward their dossiers to their user department for appointment with all consequential benefits.

(ii) to quash and set aside the impugned action (Annexure A-1) of respondents in cancelling the candidature of applicants for appointment to the various posts of CGLE 2016 and direct the respondents to evaluate the TIER-III Examination answer sheets of applicants and process their claim for appointment to the various posts of CGLE 2016 on the basis of their merit in TIER-I, TIER-II & TIER-III as per their respective category. OR

(iii) To quash and set aside the Notice dated 01.07.2016 & 19.07.2016 and direct the respondents to prepare the final select list for appointment on the basis of CGLE 2016 on the basis of marks obtained in TIER-I & TIER-II and by ignoring TIER-III.

(iv) To allow the OA with exemplary costs on the respondents.

(v) Any other or further relief which the Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case."

2. Learned counsel for the applicants has submitted that this case was similar to OA No. 215/2017 of this Tribunal which was decided on 21.02.2017 along with OA No. 263/2017 and OA No. 391/2017. He further submits that the aforesaid order of the Tribunal has been upheld by Hon'ble High Court of Delhi in Writ Petition Nos. 4829/17, 5948/17 and 6086/17. The applicants seek benefit of the aforesaid judgment.

3. In view of the limited prayer made by the applicants, we dispose of this OA at the admission stage itself without issuing notices to the respondents and without going into the merits of the case with a direction to them to consider the case of the applicants in the light of the aforesaid judgment. In case they are found to be covered by the same then they may be extended the same benefits. In any case, the decision shall be taken by the respondents within a within a period of six weeks from the date of receipt of certified copy of this order and communicated to the applicants by means of reasoned and speaking order. No costs.

(Raj Vir Sharma)
Member (J)

(Shekhar Agarwal)
Member (A)