

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

ORDER SHEET

No. Of Adjournment : 3

COURT NO. : 1

09/12/2019

O.A./3332/2019

M.A./3660/2019

WITH

O.A./2747/2019

O.A./2743/2019

M.A./3872/2019

O.A./2796/2019

M.A./3702/2019

O.A./3140/2019

M.A./3618/2019

O.A./3261/2019

M.A./3591/2019

M.A./3864/2019

O.A./3263/2019

M.A./3863/2019

O.A./3262/2019

M.A./3862/2019

O.A./3410/2019

O.A./3528/2019

ITEM NO:20

FOR APPLICANTS(S) Adv. :

SATABDI MAZUMDER

-V/S-

M/O PERSONNEL,PUBLIC GRIEVANCES AND PENSIONS

Shri Satyam Reddy, Sr. Advocate with Shri Ajesh Luthra & Shri Vibhav Mishra in OA No.3332/2019

Shri Salman Khurshid, Sr. Advocate with Shri Arpit Shukla, Ms. Gargi Srivastava and Mitah Chauhan in OA 2743/2019

Shri Param Kumar Mishra with Shri Shashank Singh in OA No.2747/2019

& Shri Prabhat Kumar Rai in OA Nos. 2796/2019, 3140/2019 & 3528/2019

Shri Shikhar Saha in OA Nos. 3261/2019, 3262/2019 & 3263/2019

Dr. Harsh Surana with Shri H.K. Sharma in OA No.3410/2019

FOR RESPONDENTS(S) Adv.:

Shri R.V. Sinha with Shri Naresh Kaushik, Ms. Akshita Rao & Shri Lakshay Juneja for UPSC

Shri Rajpal Singh with Ms. Shivangi Sharma for R-1 in OA Nos.2743/2019 & 2747/2019

Shri Manish Kumar for R-1 in OA No.2796/2019

Shri B.K. Berera for R-1 in OA No.3140/2019

Shri Sanjeev Yadav with Shri Saurav Yadav for R-1 in OA No.3261/2019

Shri K.K. Sharma for R-1 in OA No.3262/2019

Shri Vijay Joshi for R-1 in OA No.3263/2019

Ms. Neelima Rathore for R-1 in OA No.3410/2019

Shri Gyaneshwar for R-1 in OA No.3528/2019

Notes of The Registry	Order of The Tribunal
	<p style="text-align: center;">This batch of OAs is heard at some length. Learned counsel for the applicants and learned counsel for the respondents have put forward various contentions.</p> <p>2. In compliance with the interim order passed on 18.09.2019, the applicants were permitted to take part in the Mains Examination. In OA No.3332/2019, the respondents themselves permitted the candidate to appear. The next step is declaration of results. In the earlier interim order, there were directions that the result of the applicants needs not to be declared. Respondents have filed counter affidavits in the batch of OAs.</p> <p>3. The issue is about the submission of the EWS Certificates in the prescribed form. While the respondents insist that instructions were issued by the DoPT to all the State Governments to ensure that the Certificates for EWS purpose be issued in the prescribed form, learned counsel for the</p>

applicants submit that the forms were not available, by the time the applicants approached the concerned Authorities.

4. We intend to deal with the issue finally, in January 2020. However, if in the meanwhile results are declared and the applicants are left out, serious problem would arise. If, on the other hand, the results of the applicants are also declared, no prejudice would be caused. In case of the applicants, who are not within the range of selection, no further action needs to be taken. As regards, those who are in the range of selection, the issue can be decided before the interviews take place. If they are successful in the OA, the selections have to be carried out, in accordance with the results declared. If, on the other hand, they are not successful in the OAs, they need to be omitted from the list of the candidates for the purpose of selection and equal number of candidates need to be added, from the merit list.

5. Under these circumstances, we direct the respondents to declare the results of the applicants also. This, however, shall be subject to the outcome of the OAs.

6. We direct the OAs to be listed on 16.01.2020. If any of the respondents want to file counter affidavit in the OA, it shall be open to them to do so.

(MOHD. JAMSHED)
MEMBER (A)

(JUSTICE L. NARASIMHA REDDY)
CHAIRMAN