

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH, HYDERABAD**

OA/021/119/2020

HYDERABAD, this the 23rd day of January, 2023



Hon'ble Mr. Sudhi Ranjan Mishra, Judl. Member
Hon'ble Mr. B. Anand, Admn. Member

A. Ravindranath,
S/o. Late A. Kameshwar Rao,
Aged about 56 years,
HRMS No.198802339, Gr. B,
Occ: Assistant General Manager (Marketing),
O/o. Principal General Manager, BSNL Bhavan,
Adarshnagar, Hyderabad – 500 063.

...Applicant

(By Advocate : Dr. A. Raghu Kumar)

Vs.

1. Union of India rep.by
Secretary, Department of Telecommunications,
20 Ashoka Road, New Delhi – 1.
2. The Bharat Sanchar Nigam Limited rep. by its
Chairman cum Managing Director,
BNSL Corporate Office, Barakumba Road,
Statesman House, New Delhi – 1.
3. The Chief General Manager,
Telangana Telecom Circle,
Door Sanchar Bhavan, Abids, Hyderabad – 1.
4. The Principal General Manager,
Hyderabad Telecom District,
BSNL Bhavan, Adarshnagar,
Hyderabad – 500 063.
5. The Accounts Officer (Main),
O/o. Principal General Manager, HTD,
BSNL Bhavan, Hyderabad - 63.

....Respondents

(By Advocate: Smt K. Rajitha, Sr. PC for CG
Sri M.C. Jacob, SC for BSNL)

ORAL ORDER

(As per Hon'ble Mr. Sudhi Ranjan Mishra, Judl. Member)



Learned counsel for the applicant through letter dated 20.01.2023 sought permission of this Tribunal to withdraw the O.A. Permission accorded. The OA is dismissed as withdrawn. There shall be no order as to costs.

(B. ANAND)
ADMINISTRATIVE MEMBER

(SUDHI RANJAN MISHRA)
JUDICIAL MEMBER

/pv/

The present O.A. is filed by the applicant seeking the following interim relief:

“to stay all further proceedings in preparation of the Select List (Non-SCS) for the year 2021 in State of Telangana Cadre of IAS after 31 Dec 2021 for appointment to the IAS under the provisions of the Indian Administrative Service (Appointment By Selection) Regulations, 1997.....”



2. The brief facts of the case are that the applicant, who is presently working as Additional Commissioner (State Tax) in GST, Hyderabad, earlier approached this Tribunal in OA/21/45/2023 challenging the action of the respondents in not considering his case for shortlisting for the purpose of sending proposals to the UPSC for selection to IAS from non-SCS cadre. This Tribunal vide order dated 24.01.2023 declined to grant interim relief to the applicant and the O.A. is pending for adjudication. The applicant carried the matter to the Hon'ble High Court of Telangana in W.P. No.2319/2023 contending that if no interim order is granted by directing the respondents to permit the petitioner to participate in the interviews scheduled on 24.01.2023 & 27.01.2023, irreparable loss would be caused to him in the event he succeeds in the O.A. The Hon'ble High Court, after taking into consideration the submission of the respondents that the selections/ interviews were already over, held that the cause in the W.P. does not survive for adjudication and dismissed it vide judgement dated 30.01.2023.

3. Now, the applicant approached this Tribunal by filing the present O.A. challenging the very same selection contending that it is

in violation of the provisions of the Indian Administrative Service (Appointment By Selection) Regulations, 1997. By way of interim relief he sought to stay all further proceedings in preparation of the Select List (Non-SCS) for the year 2021 in State of Telangana Cadre of IAS after 31.12.2021 for appointment to the IAS under the provisions of the Indian Administrative Service (Appointment By Selection) Regulations, 1997.



4. Sri R.V. Mallikarjuna Rao, learned Senior Panel Counsel appearing for DOP&T opposed the interim prayer of the applicant stating that the name of the applicant was not shortlisted to be included in the proposals for consideration for Selection of Non-SCS Officers for the year 2021 and, therefore, he has no locus standi to seek to stall further proceedings in preparation of the Select List (Non-SCS) for the year 2021.

5. Mr. Sanjeev Kumar, learned Special Govt. Pleader for Telangana, while opposing the interim prayer, submitted that the Select List in respect of the selection in question is being received by the State Govt. in the evening of 06.02.2023 and as such, the question of stalling preparation of the Select List(Non-SCS) for the year 2021 does not arise. Mr. K. Ajay Kumar, proxy counsel for UPSC also confirmed that the selection process is over and the Select List is being sent to the State Government.

6. Heard the learned counsel appearing for the parties and perused available material papers on record.

7. We find that the applicant aspired to get his name included in the proposals sent to UPSC for selection to IAS from Non-SCS cadre for the year 2021 under the provisions of the Indian Administrative Service (Appointment By Selection) Regulations, 1997. However, he could not succeed in getting an interim order to that extent either from this Tribunal or from the Hon'ble High Court and as such, he could not participate in the selection/interviews took place on 24.01.2023 & 27.01.2023. It is evident that the Screening Committee, after due consideration, did not shortlist the name of the applicant to be included in the proposals to be sent to the UPSC and the said action was upheld by the judicial forums approached by the applicant. Now, the applicant being ineligible and without participating in the selection process, intends to stall preparation of the Select List (Non-SCS) for the year 2021, which is not permissible under law. We are not inclined to grant the interim relief sought by the applicant. Accordingly, it is rejected.

8. List the O.A. along with OA/21/45/2023 on 01.03.2023.

