

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...

O. A. No.060/01309/2017

Date of decision: 02.11.2017

...

**CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J).
HON'BLE MRS. P. GOPINATH, MEMBER (A).**

...

Shiv Parkash son of Sh. Karambir, aged 28 years, Resident of Village & Post Office Dhurana, Tehsil Gaohana, District Sonipat (Haryana) PIN-131306. Group C.

... APPLICANT

VERSUS

1. Union of India through the Secretary to the Government of India, Ministry of Personnel, Public Grievances & Pensions, Department of Personnel & Training, New Delhi.
2. Staff Selection Commission (North West Region), Kendriya Sadan, Sector-9, Chandigarh through its Secretary.

... RESPONDENTS

PRESENT: Sh. Rohit Sharma, counsel for the applicant.

ORDER (Oral)

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SANJEEV KAUSHIK, MEMBER (J):-

1. Heard Sh. Rohit Sharma who, inter alia, contends that vide order dated 19.05.2015 the applicant has been debarred from appearing in the Commissions' examination for a period of three years for indulging in malpractices and unfair means in the exams. He further submits that in the criminal case on the same set of charges the applicant has been acquitted on 30.03.2016 and on appeal also, Additional District Judge, Chandigarh, has maintained the order by dismissing appeal vide order dated 06.6.2017. Therefore, he prayed that in view of subsequent developments, his case has to be reconsidered.

2. At this stage, learned counsel submits that since applicant has already approached the respondent department by submitting representation dated 23.08.2017 for the same very relief as claimed in the O.A., therefore, let a direction be issued to them to decide the same so that a view can be taken by the respondents before this Court takes a view in the matter.
3. For the order we propose to pass, there is no need to issue notice to the respondents and wait for their reply as the applicant is simply asking for issuance of direction to decide his representation by taking into consideration his acquittal in the criminal case.
4. Accordingly, the O.A. is disposed of with a direction to competent authority amongst the respondents to decide the representation dated 23.08.2017 of the applicant by passing a reasoned and speaking order by taking into account his acquittal. Let above exercise be carried out within a period of one month from the date of receipt of a certified copy of this order. Order so passed be duly communicated to the applicant.
5. Disposal of the O.A. in the above terms shall not be construed as an opinion on the merit of this case.

(P. GOPINATH)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Date: 02.11.2017.
Place: Chandigarh.

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