

# Union Public Service Commission vs Dr. R.J.R. Kasibhatla And Ors on 29 January, 2019

**Author: Vipin Sanghi**

**Bench: Vipin Sanghi, Yogesh Khanna**

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\* IN THE HIGH COURT OF DELHI AT NEW DELHI  
+ W.P.(C) 921/2019  
UNION PUBLIC SERVICE COMMISSION ..... Petitioner  
Through: Mr.R.V.Sinha, Advocate.

versus  
DR. R.J.R. KASIBHATLA AND ORS. .... Respondent

Through: Mr.Ritu Daman Bhardwaj, Advocate  
for R-2 and R-3.

CORAM:  
HON'BLE MR. JUSTICE VIPIN SANGHI  
HON'BLE MR. JUSTICE YOGESH KHANNA  
ORDER

% 29.01.2019 Despite caveat being listed, none has appeared for the caveator/respondent No.1.

The caveat stands discharged.

CM No.4146/2019 (Exemption) Allowed subject to just exceptions.

The application stands disposed of.

WP(C) No.921/2019 and CM Nos.4144-4145/2019 Issue notice.

Learned counsel for respondent Nos.2 & 3 accepts notice.

The submission of learned counsel for the petitioner is that so far as respondent No.1 is concerned, under the orders of the Central Administrative Tribunal (CAT), he has been interviewed even though he did not fulfil the short-listing criteria.

He submits that whichever candidates have approached the CAT, have been similarly interviewed. He submits that the direction issued by the CAT in the impugned order dated 30.11.2018 that such of the applicants who have put in 16 years of service, including legal practice, shall be treated as qualified, would result in the petitioner having to undertake interview of about 94 candidates who do not meet the short-listing criteria.

In view of the aforesaid, we stay the operation of the direction issued by the CAT and make it clear that it shall not be necessary for the petitioner to call for interview all those candidates who do not meet the short-listing criteria without prejudice to the rights and contentions of the respondent No.1 and all the other applicants who have preferred their respective original applications before the CAT.

Issue notice to respondent No.1 returnable on 19.08.2019.

Dasti.

VIPIN SANGHI, J YOGESH KHANNA, J JANUARY 29, 2019/dm