

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY****CIVIL APPELLATE JURISDICTION****WRIT PETITION (STAMP) NO. 1971 OF 2015**

Union Public Service Commission

....Petitioner

Vs.

Priti Arvind Dahotre

....Respondents.

Mr. V. Narayanan a/w Anisha Narayanan for the Petitioner.

None for the Respondents.

**CORAM : ANOOP V. MOHTA AND  
A.S. GADKARI, JJ.****DATE : 15 NOVEMBER 2016.****ORDER:-**

Heard the learned counsel appearing for the Petitioner.

2           We are inclined to dispose of the present Writ Petition as the challenge is to impugned order dated 25 April 2014, passed by the Central Administrative Tribunal (CAT), Bombay Bench, Mumbai whereby, after hearing the parties and considering the rival submissions, the Tribunal has recorded as under in paragraph No.10-

*“10. The above analysis makes it clear that the applicant is as qualified or better qualified than some of the candidates who have been selected. As mentioned earlier, we do not have the data to compare the qualifications of all the 56 candidates*

*called for interview. It is, however, obvious that an injustice has been done to the applicant by rejecting her candidature on the ground of BCA. The action of the Respondents is patently arbitrary and discriminatory.”*

and based upon the said findings and the earlier observations so made in detailed, the Tribunal has ordered as under:-

“12.....In other words, the first prayer of the applicant is not granted. However, so far as the second prayer is concerned, the UPSC is directed to consider the case of the applicant afresh, call her for interview and if she is found suitable, she should be accommodated in any post that the department may make available. This process should be completed within 8 weeks from the date of the receipt of this order.”

3           The learned counsel appearing for the Petitioner has made statement that there is no stay to this order and as there was no vacancy at the relevant time, they had not called the Petitioner for interview. Even otherwise, considering the findings so given and as recorded, we see there is no perversity as such, which required interference of this Court under Article 226 of the Constitution of India. Therefore, we see no case is made out to entertain the present Writ Petition. Writ Petition is dismissed accordingly. No costs.

**(A.S. GADKARI, J.)**

**(ANOOP V. MOHTA, J.)**