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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

O.A.NO.389/2002

Friday, this the 28th day of February, 2003

Hon'ble Shri Justice V.S. Aggarwal, Chairman  
Hon'ble Shri Govindan S. Tampi, Member (A)

1. AIR & Doordarshan Engineers' Association  
through its General Secretary  
Shri Deepak Mehrotra  
s/o Shri H.S. Mehrotra  
Director Engineering  
Director General AIR  
New Delhi-11
2. Shri Dwarka Prashad  
Chief Engineer, North Zone,  
Jam Nagar House, Shahjahan Road,  
New Delhi

..Applicants

(By Advocate: Shri Gopal Dutt)

Versus

1. Union of India  
through the Secretary to the Govt. of India  
M/o Information & Broadcasting  
Shastri Bhavan, New Delhi-1
2. Union Public Service Commission  
through its Secretary  
Shahjahan Road, Dholpur House  
New Delhi-11
3. Prasar Bharati  
through its Chief Executive Officer  
Copernicus Marg, Mandi House,  
New Delhi-1
4. Union of India  
through the Secretary to the Govt. of India  
M/o Personnel, Public Grievances & Pension  
Deptt. of Personnel & Training, North Block  
New Delhi-1
5. Shri T.R. Malakar  
Director General, AIR, Akashvani Bhawan  
Parliament Street, New Delhi

..Respondents

(None)

O R D E R (ORAL)

Shri Justice V.S. Aggarwal:

It is not in dispute that respondent No.5 Shri T.R. Malakar has since retired. By virtue of the present application, the applicants are seeking quashing

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of the order appointing respondent No.5 to the post of Director General, AIR, Akahsvani Bhawan, New Delhi.

2. Since respondent No.5 has retired at this stage, the application has become infructuous.

3. Learned counsel for applicants states that he may be allowed to withdraw the present application, but nothing said herein should be taken as an expression of opinion on the merits in case the official respondents venture to make any such alleged illegal appointment.

4. Allowed as prayed. Subject to aforesaid, OA is dismissed as withdrawn. Nothing said herein should be taken as an expression of opinion on the merits of the matter for or against the parties.

(Govindan S. Tampi)  
Member (A)

/s.m./

(V.S. Aggarwal)  
Chairman