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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.209/2001

Wednesday, this the 24th day of January, 2001

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN
HON'BLE SHRI S.A.T. RIZVI, MEMBER (A)

1. Jai Prakash Sharma
S/O Shri Horam Sharma,
R/O C-24, Nangloi,
New Delhi-41
2. Samudhar Singh
S/O Shri Rai Singh
R/O E-19, Sewak Park,
Uttam Nagar,
New Delhi.
3. Bhim Singh
S/O Shri Tula Ram,
R/O VPO Nayana,
Distt. Gautam Budh Nagar, UP.

..Applicants

(BY Advocate: Shri H.K.Shekhar)

VERSUS

The Medical Supdtp.
Safdarjung Hospital,
New Delhi.

..Respondent

O R D E R (ORAL)

Hon'ble Shri Justice Ashok Agarwal:-

By the present OA, applicants claim promotion from their posts of Nursing Attendants to that of Plaster Cutter or Plaster Technician. Applicants have pointed out that S/Shri Balram Singh, Parkash Chand, Mrs. Partris and Ramayan Mahto have been promoted as such. Aforesaid promotees have, however, not been employed as party respondents to the petition. They are bound to be adversely affected in case the ~~relevant~~ claim in the petition is granted. Present OA in the circumstances suffers from vice of non-joinder of necessary parties.

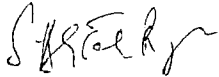
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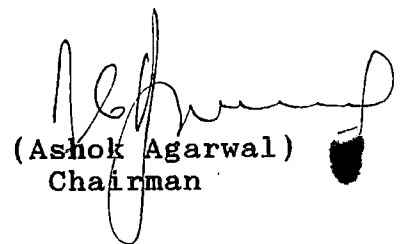
2. Applicants have also not made any reference ^{to} and ~~have not~~ ^{are} relied upon the relevant recruitment rules. No material has also been placed on record to support their assertion that they have in fact been performing the duties and functions of Plaster Cutter and Plaster Technician.

3. In view of the aforesaid lacunas, a prayer is made by Shri H.K. Shekhar, learned counsel appearing in support of the OA to withdraw the OA with liberty to file a fresh petition with same cause of action.

4. Prayer is granted. ~~No cost.~~



(S.A.T. Rizvi)
Member (A)


(Ashok Agarwal)
Chairman

/sunil/