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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

OA No. 1183/98

New Delhi, this the 13th day of July, 1998

HON'BLE SHRI T.N. BHAT, MEMBER (J)
HON'BLE SHRI S.P. BISWAS, MEMBER (A)

In the matter of:

Dr. A. Venkatasubbaiah
Medical Officer
School Health Scheme
Dte. of Health Services
Govt. of NCT Delhi
Karkardooma
Delhi - 110092. Applicant
(Applicant in person)

Vs.

1. Secretary (Health)
Govt. of NCT Delhi
5 Sharnath Marg
Delhi - 110054.
2. Officer on Special Duty (Health)
Govt. of NCT Delhi
5 Sharnath Marg
Delhi - 110054.
3. Director
All India Institute of Medical Sciences
New Delhi - 110029
4. Asst. Controller of Examinations
All India Institute of Medical Sciences
New Delhi - 110029. Respondents
(By Advocate: Sh. Mukul Gupta for Resp. No.3 & 4)

O R D E R (ORAL)

Hon'ble Shri T.N. Bhat, Member (J)

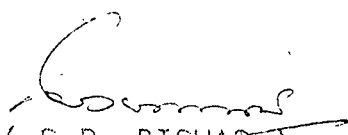
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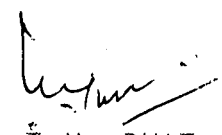
The learned counsel for the respondents again presses his preliminary objection regarding jurisdiction and reiterates the contention that the All India Institute of Medical Sciences being a statutory body in respect of which no notification has been issued by the Government under Section 14 of the Administrative Tribunals Act, 1985, we cannot hear the matter. We had expressed our doubts on this question on the very first day when the matter came up before us (5.6.98). However, the applicant

had at that time made a submission that seeking admission in the AIIMS for obtaining Post Graduate Diploma would come within the ambit of the term "Conditions of Service" and we had directed issuance of notice.

2. We further notice that in pursuance to the interim directions to the respondents to provisionally admit the applicant to the entrance test, he was allowed to appear in the test. We are now informed that he could not make the grade in the test. Thus, even if he succeeds in this OA, the applicant would not be entitled ^{to} any relief prayed for. When this position was pointed out ^{to} to the applicant, he prayed that the respondents may be directed to forward his application for the next years course. We are afraid, this contention cannot be accepted.

3. In view of the above we find ourselves in agreement with the learned counsel for the respondents No.3 & 4 that apart from being hit by the point of lack of jurisdiction, this OA has also become infructuous. We accordingly dismiss this OA. No costs.


(S.P. BISWAS)
Member (A)


(T.N. BHAT)
Member (J)

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