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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
...

O.A. No. 1779 of 1995

Dated New Delhi, this 16th day of November, 1995

Hon'ble Mrs Lakshmi Swaminathan, Member(J)
Hon'ble Mr K. Muthukumar, Member(A)

Dr Manju Gupta
d/o Shri S. K. Gupta
r/o 11, Birbal Road
Jangpura Extn.
NEW DELHI.

... Applicant

By Advocate: Shri S. S. Dass

versus

1. Union of India, through
Government of India
Ministry of Health &
Family Welfare
Department of Health
NEW DELHI.

2. Chairman
Union Public Service Commission
Dholpur House
Shahjahan Road
NEW DELHI 110 011.

3. Chairman
Central Standing Medical Board
Safdarjung Hospital
NEW DELHI.

... Respondents

By Advocate: Shri N. S. Mehta, Senior
counsel for Respondent No.2, Shri G.L. Madan,
departmental representative on behalf of
Respondent No.1&3 Later on Shri M.K. Gupta,
counsel also appeared.

O R D E R (Oral)

Mrs Lakshmi Swaminathan, Member(J)

The learned counsel for the appliant has produced before us the Memorandum issued by Respondent No.1 dated 15th November 1995 (which is placed on record) in which they have offered the applicant appointment as Medical Officer on regular basis on the terms and conditions mentioned therein. He submits that although by this Memorandum the applicant has been offered appointment as Medical Officer on regular basis which was the prayer in the O.A., he would like to amend the

199. O.A. claiming further reliefs.

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2. Shri N. S. Mehta, Senior counsel for Respondent No.2 submits that in view of the prayer contained in Paragraph-8(b) of the O.A. and in the light of the offer of appointment given to the applicant, the O.A. has become infructuous as the main prayer to direct Respondent No.1 to appoint the applicant has already been granted.

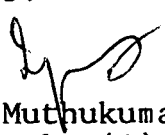
3. We have considered the above submissions. In Paragraph-8(a) of the O.A., the applicant has sought quashing of the Memorandum dated 30.5.94 (Annexure-J). By this Memorandum the applicant's candidature for the post of Medical Officer under the Central Health Service had been cancelled. However, by the subsequent Memorandum issued by Respondent No.1 dated 15.11.95, she has already been appointed as Medical Officer. This is in terms of the relief prayed for in Paragraph-8(b). Paragraph-8(c) of the O.A. seeks a direction to Respondent No.2 to approve the revival of applicant's candidature. It is thus apparent from the Memorandum dated 15.11.95 that the above reliefs have already been granted by the offer of appointment made to the applicant by Respondent No.1.


4. In the facts and circumstances of the case, therefore, we find that this O.A. has become infructuous in the light of the Memorandum dated 15.11.95. The O.A. is accordingly dismissed. However, if the applicant has any other grievance, she may file a fresh application,

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if so advised, in accordance with law. No order as to costs.


(K. Muthukumar)
Member(A)


(Mrs Lakshmi Swaminathan)
Member(J)

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