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CENTRAL ADMINISTRATIVE TRIBUNAL : PRINCIPAL BENCH

OA No.968/95

New Delhi this the 18th Day of December, 1995.

Hon'ble Sh. N.V. Krishnan, Acting Chairman
Hon'ble Smt. Lakshmi Swaminathan, Member (J)

L.K. Bhardwaj,
S/o Sh. H.S. Sharma,
R/o House No.B-18,
B.K. Dutt Colony
Lodhi Road,
New Delhi.

...Applicant

(By Advocate Ms. Sumeet Kaur, though none appeared)

Versus

1. The NCT of Delhi
through its Chief Secretary,
Old Secretariat,
Rajpur Road,
Delhi.

2. Secretary,
Ministry of Education
Estt.IV Branch
Old Secretariat
Delhi-54.

3. Director,
Directorate of Education,
Estt. IV Branch,
Old Secretariat,
Delhi-54.

...Respondents

(By Advocate Sh. B.S. Gupta, though none appeared)

ORDER (Oral)

(Hon'ble Mr. N.V. Krishnan, Acting Chairman)

The main prayer of the applicant is to direct the respondents to appoint him to the post of Physical Instructor with retrospective effect after awarding him the due extra 5 marks and after placing him at the right place in the merit list.

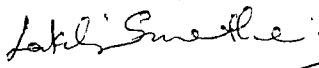
2. The respondents have filed a reply on 1.12.95, enclosing a copy of the order dated 11.7.95 in which the name of the applicant was included in the P.E.T. outstanding Sportsman category. That letter addressed to all Deputy Director of Education, Directorate ^{directs} General / issue of offer of appointment to the persons mentioned in that list. In the circumstances it was


14

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contended that the OA has become infructuous. The learned counsel for the applicant appeared on 11.10.95 and stated that she intended to file an MA seeking to amend the OA itself. Though sufficient opportunities have been given, no amendment has been made.

3. Probably the amendment must have been, ^{as required} in the context of the Annexure R-1 letter dated 11.7.95 issued by the respondents wherein a direction has been given to make an offer of appointment to the applicant. In the circumstances, we are of the view that this OA has become infructuous, as the respondents have given a direction to appoint the applicant. The OA is dismissed accordingly. No costs.


(Smt. Lakshmi Swaminathan)
Member(J)


18/11/95
(N.V. Krishnan)
Acting Chairman

'Sanju'