

Central Administrative Tribunal
Principal Bench

O.A. No. 836 of 1996

New Delhi, dated this the 27th January, 2000.

Hon'ble Mr. S.R. Adige, Vice Chairman (A)
Hon'ble Mrs. Lakshmi Swaminathan, Member (J)

Shri B.M. Pande,
S/o late Shri M.D. Pande,
R/o Y-81, Hauz Khas,
New Delhi-110016.

... Applicant

(None appeared)

Versus

1. The Secretary to
Govt. of India,
Dept. of Culture,
Ministry of Human Resource Development,
Shastri Bhawan,
New Delhi-110001.
2. The Secretary to Govt. of India,
Ministry of Personnel, Public Grievances
& Pensions,
North Block, New Delhi-110001.
3. The Director General,
Archaeological Survey of India,
Janpath, New Delhi-110001.
4. Smt. Achala Moulik, IAS,
Chief Executive Officer,
Archaeological Survey of India,
Janpath,
New Delhi-110001.

... Respondents

(By Advocate: Shri N.S. Mehta)

ORDER (Oral)

BY HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)

Applicant seeks a direction to Respondents to appoint him as Joint Director General, Archaeological Survey of India with effect from the date he was selected for the post by the UPSC i.e. on 17.8.95; if not from the date he became eligible for the post i.e. 21.12.94,

2. None appeared for applicant even on

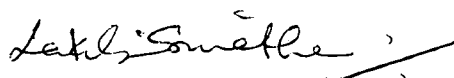
2

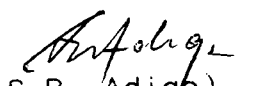
second call. We note that none appeared on behalf of applicant even on the last date also, and it was made clear that if none appeared on behalf of applicant on the next date i.e. today it would be presumed that applicant was not interested in pursuing the O.A. Shri N.S. Mehta appeared on behalf of Respondents, and has been heard. 9

3. Shri Mehta states that this O.A. has become infructuous as applicant has superannuated on 31.10.96. He also states that the post could not be filled prior to the retirement on superannuation of the applicant ^{as it} ~~which~~ had been remained vacant for more than one year and consequently had lapsed, and furthermore could not be restored before applicant's retirement. He further states that one Mr. Katti had filed O.A. bearing No. 913/95 before C.A.T., Bangalore Bench which was disposed of by order dated 7.12.95 with a direction to Respondents not to fill up the post of Jt. Director General till such time the question of regularisation of Shri Katti's services to the post of Director (Eipgraphy) was considered.

4. None appeared on behalf of applicant even on second call to rebut the aforesaid averments of Shri Mehta.

5. Under the circumstances, the O.A. is dismissed. ^{No costs,} ~~for default.~~


(Mrs. Lakshmi Swaminathan)
Member (J)


(S.R. Adige)
Vice Chairman (A)

/GK/