

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH : NEW DELHI

OA No. 1981/1997

New Delhi this the 21st Day of May, 1998.

Hon'ble Smt. Lakshmi Swaminathan, Member(J)
Hon'ble Shri K. Muthukumar, Member(A)

Dr. Janardan Pandey,
S/O Late Jagadnand Pandey
working as Medical Officer(Ayurveda),
R/O D-1, Type-IV, CGHS, M.S.D.
Hari Nagar, New Delhi. ..Applicant
(By Advocate Shri A.K. Trivedi)

Vs

1. Union of India, through
its Secretary, Ministry of
Health and Family Welfare,
Nirman Bhawan, New Delhi.
2. The Director(ISM),
Department of India System of
Medicine & Homeopathy, Min. of
Health & Family Welfare, Nirman Bhawan,
New Delhi.
3. The Administration Officer,
CGHS, G & E Section,
Nirman Bhawan, New Delhi. ..Respondents
(By Advocate Sh. Madhav Panikar)

O R D E R (ORAL)

Hon'ble Smt. Lakshmi Swaminathan, Member (J)

The applicant has filed this application being aggrieved by the action of the respondents in not fixing his seniority correctly in the seniority list of Medical Officer(Ayurveda) as on 31.3.1996.

2. The applicant has submitted that he had filed representation dated 12.7.96 stating that he should be placed in the seniority list between Dr.(Smt.)Surbala Obeja and Dr.(Kum.)Krishna M.Savithri, who have been placed at Sl.No. 8 and 9 of the seniority list. Thereafter he had also made ~~another~~ representations in 1996 and 1997 for this purpose.

3. Respondents have filed their reply and we have heard Shri Madhav Panikar, learned counsel for respondents. He has submitted that by their order dated 30.3.98, in partial modification of the seniority list of Medical Officers(Ayurveda) as on 30.4.1997, the applicant who had been placed at Sl.No.10

at sl.No.5 i.e

in the seniority list, has been placed/between the aforesaid two Drs., namely, Dr.(Smt.)Surbala Obeja and Dr.(Km.)Krishna M.Savithri. In the circumstances, learned counsel has submitted that no further grievance survives in the OA and the same may accordingly be disposed of. (11)

4. Shri A.K.Trivedi, learned counsel, however, submits that while the above statement and position is correct, the respondents have not yet carried out necessary corrections in Column 2 and 6 of the seniority list, namely, Date of Birth/Educational Qualification and the UPSC reference.. Sh.Madhav Panikar, learned counsel submits that this will be done in accordance with the records to reflect the correct position.

5. In the above circumstances of the case, the OA has become infructuous as the main relief ~~is~~ prayed for by the applicant to modify the seniority list and to place him between Dr.Surbala Obeja and Dr.Krishna M.Savithri has already been granted by the respondents and the respondents ^{undertake to} also carry out necessary corrections in Col 2 and 6, in accordance with the records.

6. Shri Trivedi, learned counsel has also prayed that cost may be awarded for the application as the respondents have carried out the necessary corrections in the seniority list after the OA has been filed on 24.9.97. To this, learned counsel for the respondents has submitted that there has been no delay on the part of the respondents and on receipt of the representation made by the applicant, the same had been considered in consultation with the concerned Department and necessary steps have been taken.

7. We have considered the above.

8. In the circumstances of the case, parties to bear their own costs. O.A. disposed of as above.

(K.Muthukumar)
Member (A)

Lakshmi Swaminathan
(Smt.Lakshmi Swaminathan)
Member (J)