

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

OA 1021/2000

with

OA 821/2000

New Delhi this the 28th day of March, 2001

Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J)  
Hon'ble Smt. Govindan S. Tampi, Member (A)

OA 1021/2000

1. Sh. Kshitiz Gupta,  
S/O Sh. G. K. Gupta,  
Lecturer in Electrical Engg.  
G. N. D. Polytechnic Sector 15,  
Rohini, Delhi-85

R/O F-6/159, Sector 16,  
Rohini, Delhi

2. Sh. Ashish Choudhary,  
S/O Shri Aman Choudhary,  
Lecturer in Petrochemical Engg.  
G. N. D. Polytechnic, Sector 15,  
Rohini, Delhi-110085

R/092, Anand Vihar, Pitampura,  
Delhi.

Applicants

(None for the applicants)

VERSUS

Govt. of NCT of Delhi  
through:  
The Director-cum-Secretary,  
Directorate of Training & Technical  
Education, Muni Maya Ram Marg,  
Pitampura, Delhi-110034

Respondent

(None for the respondents)

OA 821/2000

1. Arvind Kumar  
S/O Sh. S. P. Gupta,  
Lecturer in Mechanical Engineering,  
Aryabhat Polytechnic, G. T. Karnal  
Road, Delhi-33  
R/O BN 29 (East), Shalimar Bagh,  
Delhi-52

2. Hari Om Kumar  
S/O Shri Ramesh Chand  
Lecturer in Civil Engineering,  
Pusa Polytechnic, Pusa New Delhi  
R/O 27-D, L. I. G Flat, Jhilmil,  
Vivek Vihar, Delhi-95

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3. Kum. Anil Khushu  
Lecturer in Chemistry  
Pusa Polytechnic, Pusa,  
New Delhi.  
R/O B-114, Vasant Vihar,  
New Delhi.
4. Umakant Chaudhary,  
S/O Sh. R. K. Chaudhary,  
Lecturer in Electrical Engineering,  
Pusa Polytechnic, Pusa, New Delhi.  
R/O S-13, IInd Floor, Pvt. Colony,  
Sriniwaspuri, New Delhi.
5. Manoj K. Bele  
S/O Sh. K. R. Bele  
Lecturer in Industrial Engineering  
Aryabhat Polytechnic, G.T. Karnal Road,  
Delhi-33  
R/O BM 29 (East) Shalibar Bagh,  
Delhi.
6. S. N. Chaudhary,  
S/O Sh. V. K. Chaudhary,  
Lecturer in Electronics and  
Communication, Pusa Polytechnic, Pusa,  
New Delhi.  
R/O 902, Laxmi Bai Nagar, New Delhi-23
7. Neeraj Gautam,  
S/O Sh. D. P. S. Gautam,  
Lecturer in Electronics and  
Communication Pusa Polytechnic,  
Pusa, New Delhi.  
R/O X/693 St. No. 7, Raghuvarpura No. 1  
Gandhi Nagar, Delhi-31
8. Amit Agarwal  
S/O Sh. R. S. Agarwal  
Lecturer in Computer Applications,  
Pusa Polytechnic, Pusa, New Delhi.  
R/O 332, Type-II, Krishi Kunj,  
Inderpuri, Delhi-110012
9. Pankaj Rastogi,  
S/O Shri R. S. Rastogi,  
Lecturer, Printing Technology  
Pusa Polytechnic, Pusa, New Delhi.  
R/O FF42, Laxmi Nagar, Delhi-92
10. Shashi Kumar,  
S/O Shri R. S. Yadav,  
Lecturer, Printing Technology  
Pusa Polytechnic, Pusa, New Delhi.  
R/O WZ 62, Todarpur, New Delhi-12
11. Vinod Kumar Tyagi,  
S/O late Shri Jagdev Tyagi,  
Lecturer in Computer Application,  
Pusa Polytechnic, Pusa, New Delhi.  
R/O P-52, St. No. 4, New Extn, Shankar  
Nagar, Delhi-51

..Applicants

(None for the applicants )

P.S.

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VERSUS

Govt. of NCT of Delhi through  
The Director-cum-Secretary,  
Directorate of Training and  
Technical Education, Muni Mayaram  
Marg, Pitampura, Delhi-34

.. Respondents

(By Advocate Shri Devesh Singh,  
learned counsel through proxy counsel  
Shri Amit Rathi )

ORDER(ORAL)

**(Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman(J))**

None has appeared for the parties even on the second call in OA 1021/2000. This case has been tagged with OA 821/2000 in which also learned counsel for the applicants has not appeared even on the second call. We have, therefore, carefully perused the aforesaid cases and heard Shri Amit Rathi, learned proxy counsel for the respondents in OA 821/2000.

2. Learned proxy counsel for the respondents has submitted that one of the reasons why the learned counsel for the applicants had withdrawn MA 2927/2000, which has been dismissed as withdrawn by Tribunal's order dated 12.1.2001, is the fact that the UPSC selected candidates have become available during the pendency of the OA, and some of them have also joined. We note that in Paragraph 4 of the MA, the applicants have stated that two UPSC selected candidates have joined ~~the~~<sup>to</sup> duty. It is further stated that there is no vacant post and, therefore, one of the lecturers /applicants on contract basis may have to be retrenched. Learned proxy counsel for the respondents has submitted that it is settled law that when regularly appointed incumbents are available, the persons working on ad hoc basis or contract basis have

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to make <sup>12</sup>the way for them. In the circumstances, he has submitted that the OAs may be disposed of, as they are no longer maintainable.

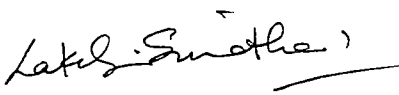
3. Noting the above facts and also the fact that none has appeared for the applicants even on the second call, OA 1021/2000 and OA 821/2000 are disposed of as none of the reliefs prayed for by the applicants survives. No order as to costs.

4. Let a copy of this order be placed in OA 821/2000.

5. Later, Shri George Parackal, learned counsel for the respondents appears in OA 1021/2000.

  
(Gomindan S. Tampi)  
Member (A)

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(Smt. Lakshmi Swaminathan)  
Vice Chairman (J)