

Central Administrative Tribunal
Principal Bench: New Delhi

OA- No.1202/2000

New Delhi this the 19th day of March, 2001

Hon'ble Mr. V.K. Majotra, Member (A)
Hon'ble Mr. Shanker Raju, Member (J)

Dr. Nivedita Prasad
W/o Shri Raja Ram Prasad,
R/o B-320, Pragati Vihar Hostel,
Lodi Road, New Delhi-110003.

(7)
-Applicant

(None Present)

Versus

1. Government of NCT of Delhi
Through its Chief Secretary,
Government of NCT of Delhi,
5, Sham Nath Marg,
New Delhi-110054.
2. The Secretary,
(Medical & Public Health),
Govt. of NCT of Delhi,
5, Sham Nath Marg,
Delhi-110054.
3. The Administrative Officer (Health)
Health & Family Welfare Department,
Government of NCT of Delhi,
5, Sham Nath Marg,
New Delhi-110054.

-Respondents

(By Advocate: Shri Rajinder Pandita)

ORDER (Oral)

Mr. V.K. Majotra, Member (A)

Shri Pandita has today filed reply on behalf of the respondents. The respondents had invited applications for 120 posts of Medical Officers in various Institutions/Hospitals of Govt. of N.C.T. of Delhi on contract basis. The applicant who belongs to Scheduled Caste had applied for the post of Medical Officer in response to the aforestated advertisement (Annexure A-1). He was placed at Sr. No. 13 of the list of S/C candidates. Respondents, however, appointed only 10 S/C candidates. In the advertisement, the total number of

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posts stipulated were 120 including those reserved for S/C, S/T, OBC. According to the applicant, the respondents should have accorded 15% reservation for S/C. They could have accordingly appointed only 18 candidates belonging to S/C. If that were done, the applicant who was at Sr. No.13 would have become eligible for appointment. The applicant sought a direction to the respondents for issuing a letter of appointment in his favour for the post of Medical Officer.

2. In their counter, the respondents have stated that whereas as per instructions on the subject, 15% seats were to be filled from amongst the SC candidates, however, as candidates from this category had already been appointed in excess of their quota previously, their quota were restricted to 10 posts and as such the applicant was not offered an appointment. Shri Pandita learned counsel of the respondents stated that now the applicant has been given an appointment against a reserved vacancy and he has already joined on the post, nothing further survives in the OA.

3. In view of the fact that, respondents having offered appointment to the applicant against a reserved vacancy and the applicant having already joined against the same, the relief claimed by the applicant is deemed to have already been granted to him. In this view of the matter, the OA is dismissed. No costs.

S. Raju

(Shanker Raju)
Member (J)

V.K. Majotra

(V.K. Majotra)
Member (A)

cc.