

In the Central Administrative Tribunal  
Principal Bench: New Delhi

OA No.85/87

Date of decision: 4.8.92.

Shri Amrit Pal Singh

...Applicant

Versus

Union of India & Others

...Respondents

Coram:-

The Hon'ble Mr. Justice V.S. Malimath, Chairman

The Hon'ble Mr. I.K. Rasgotra, Member (A)

For the applicant None

For the respondents Shri V.K. Rao, proxy  
counsel for Shri A.K. Sikri,  
Counsel.

Judgement (Oral)

(Hon'ble Mr. Justice V.S. Malimath, Chairman)

None appeared for the applicant when this case was taken up. Shri V.K. Rao, proxy counsel for Shri A.K. Sikri, counsel for the respondents appeared on behalf of the respondents. The prayer in the Application is to cancel the appointment of Respondent No.3, firstly on the ground that he is age barred and secondly on the ground that there is an adverse entry in his service record against him and for a further prayer to appoint the applicant to the post of Welfare Inspector, which is a non-selection post reserved for SC category officer. It is clear from the reply filed in this case that the

post in question is only a tenure post and respondent No.3 was appointed for a specified tenure of four years. That period having since expired the Application has become infructuous, as neither the appointment of respondent No.3 can be annulled nor can the petitioner be appointed as the tenure of the post has since expired.

2. It is also brought out to our notice by the learned counsel for the respondents that this tenure post is not reserved for the SC/ST category. It is also brought to our notice that after the tenure of respondent No.3 expired a fresh selection was made for making further tenure appointment in which the applicant's case was considered. But he was not found fit and suitable. It was also submitted that when respondent No.3 was appointed the applicant's case was also considered. But he was not found fit and suitable. It is obvious from the above background that this case does not require further examination. Accordingly, it is dismissed. No costs.

*I.K. Rasgotra*  
(I.K. Rasgotra)  
Member(A)

*V.S. Malimath*  
(V.S. Malimath)  
Chairman

August 4, 1992.

skk