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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

O.A. NO. 2468/90

New Delhi this the 22nd day of December, 1994

HON'BLE SHRI JUSTICE S. C. MATHUR, CHAIRMAN
HON'BLE SHRI S. R. ADIGE, MEMBER (A)

Dr. Nitin Sharma,
S/O Shri Madan Mohan Sharma,
R/O C-68-C, Gangotri Enclave,
Alaknanda,
New Delhi - 110019.

... Applicant

(None present)

Versus

1. Union of India through
Secretary, Ministry of
Health, Govt. of India,
New Delhi.

2. Secretary (Medical),
Delhi Administration,
Old Secretariat,
Delhi.

3. Medical Superintendent,
Guru Teg Bahadur Hospital,
Shahdara, Delhi.

... Respondents

(By Advocate Ms. Shaily Bhilatra proxy for
Mrs. Avnish Ahlawat, Adv.)

O R D E R (ORAL)

Shri Justice S. C. Mathur -

Learned counsel for the respondents has
submitted that the application has become
infructuous inasmuch as under the interim order
passed in the present case the applicant worked
and drew salary and the period of his appointment
has expired.

2. The dispute in the present case relates to
the appointment to the post of Senior Resident
in the Department of Anaesthesia. Admittedly,

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appointment in the said post is made for a specific period. Under the interim order of this Tribunal dated 27.11.1990, it was directed that the respondents shall re-engage the applicant as Senior Resident on the terms applicable to him after the expiry of the term in case any other person with longer service was not available for appointment on ad hoc basis. It is on the basis of this interim order that the applicant continued to work and has served the period for which he was appointed. The applicant has drawn salary for the work actually done by him. Accordingly, we find substance in the submission of the learned counsel for the respondents that the application has become infructuous.

3. In view of the above, the application is dismissed as infructuous. There shall be no order as to costs.

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(S. R. Adige)

Member (A)

Mathur
(S. C. Mathur)

Chairman

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