

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI

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OA-2702/90

New Delhi, dated the 28th April, 1995

Hon'ble Shri N.V. Krishnan, Vice Chairman (A)

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

1. Subash Chander  
r/o B-1, Laxmi Garden,  
Najaf Garh, New Delhi-110043.
2. A.K. Mandhanda s/o Sh. I.N. Manchanda,  
resident of C-2, Vijay Nagar, Delhi-9
3. Suresh Kumar s/o Sh. L.P. Sharma,  
resident of C-5/43, Yamuna Vihar, Delhi-53
4. Mrs Anupama Rai  
resident of 630 Krishi Kunj,  
New Delhi.

(None for the applicants)

... Applicants

Vs.

Union of India through :

1. Secretary, DARE, Ministry of Agriculture,  
Krishi Bhawan, New Delhi-1
2. Secretary, ICAR, Krishi Bhavan,  
New Delhi-1
3. Director, IARI, New Delhi-12
4. Smt. Swaran Kanta Sharma,  
Stenographer, Division of Entomology,  
IARI, New Delhi-12
5. Sh. K.S. Minj, Superintendent,  
Division of Extension, IARI, New Delhi.
6. Smt. Raj Pahuja, Sr. Clerk, R&I Section,  
IARI, New Delhi-12
7. Sh. Chokhe Lal, Assistant, Division of  
Mycology & Plant Pathology, IARI,  
New Delhi-12

... Respondents.

(None for the respondents )

ORDER (ORAL)

(Hon'ble Shri N.V. Krishnan, Vice Chairman (A))

None for the parties, though called twice.

The applicants have filed this application against the order dated 6-12-90 (Annexure A-3) of the IARI giving ad hoc

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promotion, to a number of persons till the posts are filled on regular basis. It is stated that the promotions have been made in an arbitrary manner against the percentage quota fixed for selection on the basis of Limited Departmental Competitive Examination. The promotions have been made on the basis of seniority-cum-fitness. The applicants have, therefore, sought to quash this order and to direct the respondents to operate the 'Reserve List' of stenographers, prepared on the basis of Departmental Competitive Examination held on 11.9.1988 and extend to them/also the benefit of promotion given to Shri K.N. Joshi.

2. After completion of pleadings the matter came up on 30-4-1993 when Shri G.D. Bhandari, counsel for the petitioner filed MP 342/93 in which it was stated that one the applicant's namely, applicant No.1, has been promoted by the office order dated 21.11.1992 and that, therefore, this applicant's name should be deleted from the Memo. of parties of the O.A. On that date, the learned counsel for the applicant also stated that he would like to withdraw the O.A. as the petitioner had granted relief. It was ordered that the MP would be heard alongwith the O.A.


3. This matter came up on two earlier occasions i.e. on 31-1-1995 and 7-4-1995 when none was present for the applicant. On the second occasion, counsel for the respondents Shri V.K. Rao submitted that, perhaps, this O.A. has become infructuous but that he would like to get it confirmed from the respondents.

4. None is present today. In view of what has transpired on 30-4-1993 and the fact that neither the applicant nor their counsel has been present, we dismiss

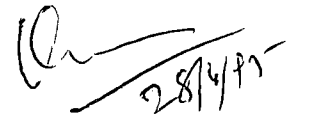
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this application on merits holding that the applicants did not want to prosecute the O. as there was no grievance subsisting.

5. In the circumstances, this O. is dismissed.

  
(Lakshmi Swaminathan)

Member (J)

  
(N.V. Krishnan)

Vice Chairman (A)