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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

OA NO.580/90

DATE OF DECISION: 23.7.1990

SHRI SUNIL SACHDEVA & OTHERS

APPLICANTS

VERSUS

UNION OF INDIA & OTHERS

RESPONDENTS

SHRI S.K. SAWHNEY

ADVOCATE FOR THE APPLICANTS

SHRI SHYAM MOORJANI

ADVOCATE FOR THE RESPONDENTS

CORAM:

THE HON'BLE MR. T.S. OBEROI, MEMBER (J)

THE HON'BLE MR. I.K. RASOTRA, MEMBER (A)

JUDGEMENT (ORAL)

(Delivered by Hon'ble Mr. T.S. Oberoi, Member (J))

In the present MP (1516/90) in OA No.580/90, filed under Section 19 of the Central Administrative Tribunals Act, 1985, the petitioners herein, who are respondents in the OA have urged that the entire selection of the TTE/Head TCR/COR in the grade of Rs.1400-2300 (RPS) held in May and August, 1988, having been cancelled, the OA, in the present form, is not maintainable, having become infructuous.

2. No reply to the MP has been filed, on behalf of the Respondents/Original applicants.
3. We have heard the learned counsel for the petitioners in this MP as well as the learned counsel for the original applicants.
4. The learned counsel for the original applicants emphasised that the very cancellation of the above mentioned selection is malafide, as no specific reasons for cancellation thereof, have been given by the respondents. The learned

counsel for the petitioners in the MP, on the other hand, urged that the present OA, cannot survive any longer, having become infructuous, for the reasons mentioned in the MP.

5. We have considered the rival contentions, as briefly mentioned above. We have also perused the OA, the MP, so far as the same are relevant for disposing of the present MP.

6. Considering that the grievance highlighted in the present OA does not survive any longer, after the cancellation of the selection, as mentioned in the present MP, the ~~XXXXXX~~ OA, itself, does not survive. The applicants shall, however, be at liberty to move and urge the grievance, if any, with regard to the alleged malafides, as alluded to, by the learned counsel for the applicants during arguments, by way of fresh application, if so advised.

7. As a result of the foregoing, the MP is allowed and, as a result, the OA is also disposed of, with no orders as to the costs.

(Signature)
(I.K. RAGSETRA) 23/2/90
MEMBER(A)

(Signature) 23.2.90
(T.S. OBEROI)
MEMBER(B)