

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH N/DELHI

O.A. No. 1984/93

(14)

New Delhi this the 26th Day of November, 1993

The Hon'ble Mr. J.P.Sharma, Member(J)

The Hon'ble Mr. B.K.Singh, Member(A)

Dr. S.C.Sharma
S/o Late Dr. S.L.Sharma,
R/o D-II/81, Kidwai Nagar(East)
New Delhi

.... Applicant

(By Advocate Sh.V.K.Rao, proxy counsel
for Sh. A.K.Sikri, counsel)

Versus

1. Union of India
Through the Secy. to the Govt. of India,
Ministry of Health & Family Welfare,
Nirman Bhawan, N/Delhi
2. The Jt. Secretary (Medical),
Govt. of National Capital Territory
of Delhi (Medical & Public Health Deptt..)
5 Sham Nath Marg, Delhi-110054
3. Dr. Suresh Prakash,
Director of Health Services,
Delhi Admn. Delhi
4. Dr. B.N.Berkakaty, Addl. Director,
C.G.H.S., New Delhi
5. Dr. R.D.Bansal,
D.D.G.(P),
Bureau of Planning Dte.
G.H.S. New Delhi

.... Respondents

(By Advocate Mrs. Raj Kumari Chopra,
counsel)

ORDER(ORAL)

(Hon'ble Sh. J.P.Sharma, Member(Judicial))

1

(PS)

1. We had already heard the matter on interim relief on the request of the learned counsel for the applicant.

After hearing, the counsel of both the parties, interim direction was issued that the applicant should be considered for posting to one of the posts as prayed for in the original application.

2. Respondents vide their letter dated 17.11.93 posted Dr. S.C. Sharma, who at the time of presenting application was working as OSD, to the post of D.D.G(LME)

3. Learned counsel for the respondents also stated that main counsel in this case is of the view that nothing survives in the application.

4. Learned counsel for the applicant prays for short adjournment. However, in the circumstances of the case, we do not find any justifiable grounds to accede to the request. However, we pass final order before lunch.

5. Sh. A.K. Sikri appeared for the applicant. We have taken the matter in his presence. He only submitted that though applicant has been given the posting as DDG(LME) and since he is to retire on 30th November, 1993, he may be allowed to continue till the date of superannuation. The application is disposed of as infructuous with the direction to the respondents, not to post the applicant to any other post except according to law, keeping in view the principle of natural justice. The parties to bear their own cost.

(B.K.Singh)
Member (A)

J.P.Sharma
(J.P.Sharma)
Member (J)