

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

ORIGINAL APPLICATION NUMBER 1388 OF 1999
ALLAHABAD, THIS THE 15th DAY OF SEPTEMBER, 2004

HON'BLE MRS. MEERA CHHIBBER, MEMBER(J)
HON'BLE MR. S. C. CHAUBE, MEMBER(A)

Ashok Kumar Dixit aged about 40 years,
s/o Shri Ramesh Chandra, working as Electrician(Sr. Grade)
in Central Jalma Institute for Leprosy,
Tajganj, Agra.

.....Applicant

(By Advocate : Shri R. Verma)

V E R S U S

1. Union of India through the Secretary,
Ministry of Health and Family Welfare,
Nirman Bhavan, New Delhi.
2. The Director General,
Indian Council of Medical Research,
Ansari Nagar, New Delhi.
3. The Director, Central Jalma Institute for
Leprosy, Tajganj, Agra.

.....Respondents

(By Advocate: Shri Mahendra Bahadur Singh)

O R D E R

By Hon'ble Mrs. Meera Chhlibber, Member(J)

By this O.A. applicant has sought the following
reliefs:-

- (i) to issue a writ order or direction in the nature of certiorari quashing the impugned letter dated 03.03.1999 passed by the respondent No.2 as communicated to the petitioner vide letter dated 10.09.1999 passed by the respondent No.3 (Annexure A-I).
- (ii) To issue a writ, order or direction in the nature of certiorary quashing circular dated 19.06.1998 passed by the respondent No.3 by which selection for recruitment to the post of Administrative Officer has been initiated (Annexure-A-IV).

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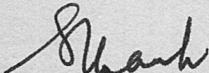
(iii) to issue a writ order or direction in the nature of mandamus directing the respondent No.1 to frame the recruitment rule for appointment and promotion of its staffs on different posts within a period as may be stipulated by this Hon'ble Tribunal."

2. Vide letter dated 02.09.1999 applicant was informed that he is not eligible for being considered for the post of Administrative Officer because he has not put in 6 years of qualifying service as Section Officer. Applicant had submitted that there was no justification to put the requirement of 6 years qualifying service as experience as there were no notified rules to that effect issued by the Government of India.

3. Today when the matter was called out, it was admitted by both the parties that after filing of the O.A. proper recruitment rules for the post of Administrative Officer have since been notified, which are known as Recruitment and Promotion Rules for Group 'A' Administrative (Ministerial Staff 2000) Recruitment Rules have been placed on record along with Supplementary Counter Affidavit as Annexure SCA-I, which were subsequently modified vide letter dated 21.08.2000.

4. Now that proper recruitment rules have been framed and notified by India Council of Medical Research. Naturally, appointments would have to be made as required under the Recruitment Rules. Therefore, it is no-longer required to go into correctness of the impugned letter, which was challenged by the applicant in the O.A. Counsel for the applicant, therefore, fairly submitted that in view of this latest development, this O.A. has become infructuous.

5. In view of the facts as narrated above, this O.A. is dismissed as having become infructuous. No costs.


Member (A)

shukla/-


Member (J)