

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM

O. A. No. 409 / 1991.
~~KAXXNP.~~

DATE OF DECISION 2.4.1991

G.H.K. Sarma Applicant (s)

Mr.G.Sasidharan Chempazhanthi Advocate for the Applicant (s)

Versus

Chief General Manager, Respondent (s)
Telecom and two others
(Kerala Circle, Trivandrum).

Mr.VVSidharthan, ACGSC Advocate for the Respondent (s)

CORAM:

The Hon'ble Mr. S.P. Mukerji, Vice Chairman

The Hon'ble Mr. A.V.Haridasan, Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement? *1/s*
2. To be referred to the Reporter or not? *M*
3. Whether their Lordships wish to see the fair copy of the Judgement? *M*
4. To be circulated to all Benches of the Tribunal? *M*

JUDGEMENT

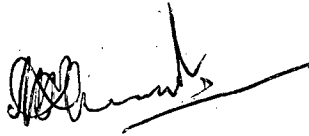
(Hon'ble Shri A.V.Haridasan, Judicial Member)

The applicant a Senior Assistant Engineer in Circle Telecommunication Training Centre, Trivandrum has filed this application challenging his exclusion from consideration for the post of Assistant Engineer (Lecturer) and also for a direction to the respondents to review the arrangement of giving 30% allowance admissible to the A.E. Lecturers to officiating Divisional Engineers by combination of appointments in C.T.T.C.Trivandrum and to follow the correct procedure. This application was admitted and an interim order was issued by this Tribunal on 25.3.91 directing

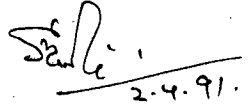
that on a provisional basis subject to the outcome of this application, the applicant also should be considered for selection. It was also directed that the result of the selection should be produced before this Tribunal on this date. Though the application has been posted for completion of pleadings on 3.5.1991, as the result of the selection ~~is~~ produced today disclose^s that the applicant though considered along with others has not been selected, we are of the view that the purpose for which this applicat-
^{was filed}
ion has become frustrated and that it is not necessary
^{to}
to keep the application pending any more but for the prayer number (iii) about allowance which can be appropriately agitated by the applicant in a separate application if so advised in accordance with law. As the applicant has not been selected in the selection held on 18.3.91, the learned counsel for the applicant submitted that the applicant's right to challenge the validity of the selection may not be affected by the disposal of this application. We are convinced that this request is ~~also~~
^{is} reasonable and proper.

2. In the above circumstances, reserving the right of the applicant to challenge the validity of the selection if ~~he~~
^{is} so advised and also to file a fresh application for

relief number (iii) claimed in this application, we
dismiss this application as having become infructuous.
There is no order as to costs.



(A.V. HARIDASAN)
JUDICIAL MEMBER


2.4.91

(S.P. MUKERJI)
VICE CHAIRMAN

02.04.1991

Ks.