

20.08.2009

TA 15/2009 (CWP 7132/2002)

Mr. Virendra Lodha, Proxy counsel for  
Mr. Vinod Goyal, Counsel for applicant.  
Mr. Anurag Agarwal, Counsel for respondents.

Heard learned counsel for the parties.

For the reasons dictated separately, the TA is  
disposed of.

(B.L. KHATRI)  
MEMBER (A)

(M.L. CHAUHAN)  
MEMBER (J)

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
JAIPUR BENCH

Jaipur, this the 29<sup>th</sup> August, 2009

**TRANSFER APPLICATION NO. 15/2009**  
**IN**  
**S.B. CIVIL WRIT PETITION NO. 7132/2002**

**CORAM:**

HON'BLE MR. M.L. CHAUHAN, JUDICIAL MEMBER  
HON'BLE MR. B.L. KHATRI, ADMINISTRATIVE MEMBER

Dr. Giridhar Gopal Sharma aged about 34 years son of Shri Ambika Prasad Sharma, resident of E-273, Murlipura Scheme, Jaipur.

.....APPLICANT

(By Advocate: Mr. Virendra Lodha proxy to Mr. Vinod Goyal)

VERSUS

1. Union of India through the Secretary, Ministry of Health & Family Welfare, Department of Indian Systems of Medicines & Homeopath, Redcross Building, Red Cross Road, New Delhi.
2. National Institute of Ayurveda through its Director, Madhav Vilas Palance, Amer Road, Jaipur.

.....RESPONDENTS

(By Advocate: Mr. Anurag Agarwal)

**ORDER (ORAL)**

The grievance of the applicant in this TA is regarding the advertisement dated 18.09.2002 (Annexure A/3) whereby the post of Lecturer (Dravya Guna) was advertised to be filled by direct recruitment from OBC category whereas the same should <sup>be</sup> filled in from General Category. It is on the basis of this allegation, the applicant has filed this TA for quashing the advertisement dated 18.09.2002 (Annexure A/3) with further prayer that directions may be given to the respondents to re-advertise the aforesaid vacancy or issue corrigendum by making suitable amendment in the original

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*That is*  
advertisement the post of Lecturer (Dravya Guna) will be filled in from General Category.

2. Notice of this application was given to the respondents. The respondents have filed their reply thereby opposing the claim of the applicant. Today, the learned counsel for the respondents submits that pursuant to the impugned advertisement, the aforesaid post could not be filled in for want of candidates from OBC category. Learned counsel for the respondents further submits that now the aforesaid post has been re-advertised in Vacancy Notification No. 1/2008 published in Dainik Bhaskar on dated 02.01.2008 whereby the aforesaid post has been advertised for General Category. This document/Vacancy Notification No. 1/2008 is taken on record.

3. In view of what has been stated above, the grievance, as raised by the applicant, does not survives now. Accordingly, the TA is disposed of with no order as to costs.

  
(B.L. KHATRI)  
MEMBER (A)

  
(M.L. CHAUHAN)  
MEMBER (J)

AHQ