

**Central Administrative Tribunal
Principal Bench, New Delhi**

TA No.18 /2012

MA No.2114/15

New Delhi, this the 21th day of July, 2016

Hon'ble Mr. P.K. Basu, Member (A)

Hon'ble Dr. Brahm Avtar Agrawal, Member (J)

Mr.Umesh Sachdeva

S/o Late Shri L.D. Scchdeva

R/o B-147/2 East o Kailash

New Delhi-110065

.... Applicant

(By Advocate : Ms. Ankita Gupta for Mr. Puneet Jain)

Versus

1. M.C.D (East Zone)
Through its Commissioner
Patparganj Industrial Area,
Delhi-110092
2. M.C.D(North Zone)
Through its Commissioner
4 th Floor, Dr. SPM Civic Centre
JLN Marg, New Delhi-2
3. M.C.D. (South Zone)
Through its Commissioner
9th Floor, Dr. SPM Civic Centre
JLN Marg, New Delhi-2
4. Union Public Service Commission
Through Secretary
Dholpur House, Shahjahan Road,
New Delhi.
5. Govt.of NCT
Through its Chief Secretary
Players Building
I.T.O. Delhi

- 6). Anil Prakash
- 7). Vijay Prakash S/o Sh. Jagbir Singh
- 8). Kumar Pal Singh S/o Sh. Om Prakash
- 9). Devender Kumar S/o Sh. Ganeshi Lal
- 10). Ram Prakash S/o Lakhpat Singh
- 11). Suresh Chandra S/o Mangal Siungh
- 12). Prem Chand Meena S/o Ram Sahay Meena

(Respondent No.6 to 12 are represented by Commissioner M.C.D. and to be served through Standing Counsel MCD)

..... Respondents

(By Advocate : Mr. R. N.Singh with Mr.R.K. Jain for Mr. Arun Bhardwaj
Mr. M.D.Jangra, proxy for Mr. M.K. Bhardwaj for Pvt. R-2
Mr. Rajeev Sharma for Pvt.R-9
Ms. Alka Sharma)

ORDER (ORAL)

Hon'ble Mr. P.K. Basu, Member (A)

The applicant in the original petition, which has now become TA No. 18/2012, had challenged the revised final seniority list of Executive Engineer (Civil) dated 02.06.2010 and had prayed for quashing the said seniority list. Further it had been prayed that the respondents be directed to undertake complete exercise before providing for reservation for promotion in the light of law settled by the Hon'ble Supreme Court in M. Nagaraj's case etc.

2. It is submitted by learned counsel for respondents that thereafter DPC has been held on 12.12.2014 in UPSC and promotion granted vide order dated 05.03.2015. Further, fresh seniority list has been issued vide circular dated 8.5.2015. It is also stated by Ms. Alka Sharma for respondent No.1 (Local Body) that thereafter the applicant has received subsequent

promotion and currently he holds the charge Engineer in Chief (Civil) in Sahadara, in South Delhi.

3. We find that on several dates none has appeared on behalf of the applicant and even today the applicant is represented through proxy counsel Ms.Ankita Gupta. It would appear that having got promotion right upto the level of Engineer-in-Chief (Civil), the applicant is no longer interested in pursuing his case and has not been represented on several dates and, therefore, the OA is dismissed.

4. The applicant has also filed MA No. 2114/15 in which they have challenged / sought amendment of the seniority list dated 08.05.2015 as well as the orders dated 05.03.2015 and 04.05.2012. This MA relates to a fresh cause of action and hence not maintainable. Therefore, the MA is also dismissed. No costs.

(Dr. Brahm Avtar Agrawal)
Member (J)

(P.K. Basu)
Member A)

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