

Central Administrative Tribunal Principal Bench, New Delhi

O.A.No.791/2015
M.A.No.3641/2015
M.A.No.1463/2016

Wednesday, this the 14th day of September 2016

**Hon'ble Mr. Justice Permod Kohli, Chairman
Hon'ble Mr. K.N. Shrivastava, Member (A)**

Dr. Vikas Chaudhary
Son of Mr. Krishan Chaudhary
Aged about 36 years
Resident of H.No.226, Village Jatuwas
Post Office Bithwana
Tehsil & District Rewari
Haryana – PIN 123401

Presently employed as
Assistant Professor in the
ESIC Medical College & Hospital Faridabad

(Mr. M.S. Ramalingam, Advocate)

..Applicant

Versus

1. Union of India through the Secretary
Ministry of Health & Family Welfare
Nirman Bhawan, New Delhi – 11
2. Union Public Service Commission through
The Secretary, Dholpur House
Shahjahan Road, New Delhi
3. Dr. Munish Guleria
Candidate selected for appointment as Assistant Professor
(Radiology) in UPSC Advertisement No.18/2013 Vacancy No.
13111811123
Through the Secretary
Ministry of Health & Family Welfare
Nirman Bhawan, New Delhi – 11
4. Dr. Ravindra Singh Jadon
Candidate selected for appointment as Assistant Professor
(Radiology) in UPSC Advertisement No.18/2013 Vacancy No.
13111811123
Through the Secretary
Ministry of Health & Family Welfare
Nirman Bhawan, New Delhi – 11

5. Dr. Vasantha Kumar Venugopal
 Candidate selected for appointment as Assistant Professor
 (Radiology) in UPSC Advertisement No.18/2013 Vacancy No.
 13111811123
 Through the Secretary
 Ministry of Health & Family Welfare
 Nirman Bhawan, New Delhi – 11

6. Dr. Puneet Singh Kochhar
 Candidate selected for appointment as Assistant Professor
 (Radiology) in UPSC Advertisement No.18/2013 Vacancy No.
 13111811123
 Through the Secretary
 Ministry of Health & Family Welfare
 Nirman Bhawan, New Delhi – 11

7. Dr. Bhawna Satija
 Candidate selected for appointment as Assistant Professor
 (Radiology) in UPSC Advertisement No.18/2013 Vacancy No.
 13111811123
 Through the Secretary
 Ministry of Health & Family Welfare
 Nirman Bhawan, New Delhi – 11

..Respondents

(Mr. Piyush Gaur, Advocate for respondent No.1 –
 Mr. R.V. Sinha, Advocate for respondent No.2 –
 None for other respondents)

O R D E R (ORAL)

Justice Permod Kohli:

Through the present O.A., the applicant has prayed for his appointment to the post of Assistant Professor (Radio-Diagnosis) in the Ministry of Health & Family Welfare. It is admitted position that during the pendency of this O.A., the applicant has been offered the appointment and he has joined the post as well. It is also admitted position that no person junior to the applicant, who was in the wait-list, was appointed earlier to him.

2. During the pendency of this O.A., the applicant has filed M.A. No.1463/2016 seeking amendment of the O.A. so as to claim seniority on

various grounds. This being a distinct and fresh cause of action cannot be considered in the present O.A. Accordingly, M.A. No. 1463/2016 is dismissed.

3. In view of the appointment of the applicant, the O.A. is rendered infructuous and is accordingly dismissed. However, if any other claim on his appointment survives, the applicant is at liberty to seek remedial measures. No costs.

M.A. No.3641/2015 (for amendment in reply filed by UPSC)

In view of the aforementioned Order, no Order is required on this M.A., which stands disposed of.

(K.N. Shrivastava)
Member (A)

September 14, 2016
/sunil/

(Justice Permod Kohli)
Chairman