

**Central Administrative Tribunal
Principal Bench**

OA No.2335/2016

New Delhi, this the 3rd day of July, 2017

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

Yagyawant Singh, Aged 55 years
S/o Shri S.N. Singh
Working as Manager (F&A)
PIU Lucknow
R/o M-361, Ashiyana Colony
Lucknow-226012, UP. ..Applicant

(By Advocate: Shri S.K. Gupta)

Versus

National Highway Authority of India
Through Chairman
G-5 & 6, Sector 10
Dwarka, New Delhi-110075. ..Respondents

(By Advocate: Shri Hanu Bhaskar)

ORDER (ORAL)

Justice Permod Kohli, Chairman :-

The applicant is presently working as Manager (F&A) with the respondents. This Application has been filed seeking the following reliefs:-

"i) Quash and set aside letter dated 06 Jun 2016 advising the applicant to apply for the post of DGM (Fin) as and when published as per the eligibility conditions in accordance with the amended regulations (Rules); and

ii) Declare the action of the respondents to cancel the advertisement dated 13-19 Dec 2014 illegal and arbitrary and filling up the said post in accordance with the amended regulations has commenced for the post of DGM (F&A); and

iii) Direct the respondents to fill the post of DGM (F&A) as advertised in advertisement dated 13-19 Dec 2014 in accordance with the regulations applicable at that time; and

iv) Direct the respondents to count the service in the grade as regular service from the date the applicant was appointed on the post of Manager (F&A) on deputation basis, i.e. 16 Jan 2009 for promotion to the next higher grade, i.e., DGM (Fin); and

v) Direct the respondents to adopt the method of recruitment for the post of Dy. General Manager (F&A) by first recruitment through promotion failing which by other methods in accordance with regulation 13 of the NHAi regulations; and

vi) To award exemplary costs; and

vii) To pass any other order as this Hon'ble Tribunal deem fit in the interest of justice."

2. From the averments made in the OA and the reliefs sought, we find that the grievance of the applicant is that the impugned advertisement has been issued for filling up the post of DGM(F&A) on the basis of the amended Recruitment Rules. The applicant seeks a direction for filling up the post on the basis of the old (un-amended) Recruitment Rules. Shri Bhaskar appearing for the respondents submits that he has instructions to make a statement that fresh process for

calling applications is being initiated to fill up the post of DGM(F&A) on the basis of the un-amended Recruitment Rules.

3. In view of this statement, this Original Application is rendered infructuous. Dismissed as such.

(K.N. Shrivastava)
Member(A)

(Justice Permod Kohli)
Chairman

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