

**Central Administrative Tribunal
Principal Bench**

**OA No.4325/2015
with
CP No.583/2015
in
OA No.3619/2013**

New Delhi, this the 25th day of May, 2016

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

OA No.4325/2015

Shri M. L. Khan
S/o Shri A. A. Khan
R/o F-13/32, Joga Bai Extn.
Jamia Nagar,
New Delhi.

.... Applicant.

(By Advocate : Shri Rajeev Sharma)

Vs.

1. North Delhi Municipal Corporation
Through its Commissioner,
Dr. S. P. Mukherjee Civic Centre,
J. L. Marg,
New Delhi.
2. The Commissioner
North Delhi Municipal Corporation
Dr. S. P. Mukherjee Civic Centre,
4th Floor, J. L. Marg,
New Delhi.
3. Director (Personnel)
North Delhi Municipal Corporation
Dr. S. P. Mukherjee Civic Centre,
5th Floor, J. L. Marg,
New Delhi.
4. Union Public Service Commission (UPSC)
Through its Chairman
Dholpur House, Shahjahan Road,
New Delhi. Respondents.

(By Advocates : Shri R. V. Sinha with Shri R. N. Singh and Shri Amit Sinha for R-1 to 3.
Shri Naresh Kaushik with Ms. Joymoti Mize for R-4.)

CP No.583/2015 in OA No.3619/2013

Shri M. L. Khan
S/o Shri A. A. Khan
R/o F-13/32, Joga Bai Extn.,
Jamia Nagar,
New Delhi.

.... Applicant.

(By Advocate : Shri Rajeev Sharma)

Vs.

1. Shri P. K. Gupta
Commissioner,
North Delhi Municipal Corporation,
4th Floor, Civic Centre, JLN Marg,
New Delhi 110 002.
2. Shri M. A. Rehman
Director (Personal)
13th Floor, Civic Centre,
JLN Marg,
New Delhi 110 002. Respondents.

(By Advocates : Shri R. V. Sinha with Shri R. N. Singh and
Shri Amit Sinha)

: O R D E R (ORAL) :

Justice Permod Kohli, Chairman :

When the aforesaid applications (OA No.4325/2015 & CP No.583/2015) were taken up, Shri Rajeev Sharma, learned counsel appearing for the applicant has placed on record copy of an order dated 29.12.2015 vide which the applicant has been promoted as Superintending Engineer (Civil) pursuant to recommendations of the DPC. Name of the applicant figures at Sl. No.26 in the aforesaid order.

2. Though in para 2 of the order, recommendations of the DPC have been made subject to outcome of the present OA and CP, however, the fact remains that the applicant has been promoted through the process of selection by DPC.
3. In this view of the matter, relief having been granted, the Original Application as well as Contempt Petition are rendered infructuous, disposed of accordingly.

(K. N. Shrivastava)
Member (A)

(Permod Kohli)
Chairman