

**Central Administrative Tribunal
Principal Bench**

**OA-3790/2016
MA-1184/2018**

New Delhi, this the 12th day of March, 2018

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

Mr. Apurv Agarwal, AGM(Real Estate), (Group A),
S/o Sh. K.C. Aggarwal, aged 38 years,
Resident of C-118 First Floor,
East of Kailash, New Delhi-65.

... Applicant

(through Sh. M.K. Bharadwaj)

Versus

NBCC(India) Limited,
Through its Chairman cum Managing Director,
NBCC Bhawan, Lodhi Road,
New Delhi-110003.

... Respondents

(through Sh. Rishi Kapoor)

ORDER(ORAL)

Hon'ble Mr. Justice Permod Kohli

MA No. 1184/2018

This application has been filed for early hearing of the OA for getting the same disposed of being infructuous as the applicant has been appointed in Competition Commission of India. For the reasons recorded in the MA, the same is allowed.

OA No. 3790/2016

This OA has been filed challenging the order dated 25.10.2016 and 01.11.2016 whereby the applicant's request for deputation has been rejected on the ground of eligibility. The applicant has also challenged the circular

dated 14.03.2016. Admittedly, during the pendency of this application, the applicant has joined Competition Commission of India (CCI). Thus, on this account, this application is rendered infructuous.

2. Learned counsel for the applicant Sh. M.K. Bharadwaj submits that he has also challenged the circular dated 14.03.2016 which seems to be a basis for passing the impugned rejection order and therefore the application should be heard on merits. Suffice it to say that the right of the applicant to challenge the circular shall remain intact if in future similar situation arises.

3. With these observations, this OA is disposed of as infructuous.

(K.N Shrivastava)
Member (A)

(Justice Permod Kohli)
Chairman

/ns/