

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

OA No.3949/2010

New Delhi, this the 7th day of September, 2016

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

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

1. Mr. Prahlad Sahani
S/o Sh. R.K. Sahani
Aged about 52 years.
Working as Lighting Assistant in Delhi Doordarshan, Delhi.
2. Upender Rai
S/o Sh.Jawala Prasad Rai
Aged about 48 years.
Working as Lighting Assistant in Delhi Doordarshan, Delhi.
3. B.L. Tiwari
S/o Sh.J.P.Tiwari
Aged about 48years.
Working as Lighting Assistant in Delhi Doordarshan, Delhi.
4. Sher Singh
S/o Sh. Prem Chand
Aged about 46years.
Working as Lighting Assistant in Delhi Doordarshan, Delhi.
5. Vijender Singh Rawat
S/o Sh. A.S.Rawat
Aged about 44years.
Working as Lighting Assistant in Delhi Doordarshan, Delhi.
6. Harish Chand Rail
S/o Sh. Ram Bachan Rai
Aged about 45years.
Working as Lighting Assistant in Delhi Doordarshan, Delhi.
7. Swatantra Kumar Shukla
S/o Sh. S.C. Shukla
Aged about 47years.
Working as Lighting Assistant in Delhi Doordarshan, Delhi.

8. Ramesh Kumar Sharma
S/o Sh. Rishi Pal Sharma
Aged about 45years.
Working as Lighting Assistant in Delhi Doordarshan, Delhi.
9. Banwari Lal Juyal
S/o Sh. M.R. Juyal
Aged about 52 years.
Working as Lighting Assistant in Delhi Doordarshan, Delhi.
10. H.S. Bawa
S/o Late Shri Sardar Singh
Aged about 49years.
Working as Lighting Assistant in Delhi Doordarshan, Delhi.
11. Vijay Kumar
S/o Late Sh. Anand Rai
Aged about 47years.
Working as Lighting Assistant in Delhi Doordarshan, Delhi.
12. Mahesh Kumar Sharma
S/o Late Sh. Jai Bhagawan Sharma
Aged about 44 years.
Working as Lighting Assistant in Delhi Doordarshan, Delhi.
13. Jameet Singh
S/o Late Sh. Ajit Sigh
Aged about 50 years.
Working as Lighting Assistant in Delhi Doordarshan, Delhi.
14. Prem Pal Kapita
S/o Late Sh. J.L. Kapila
Aged about 46years.
Working as Lighting Assistant in Delhi Doordarshan, Delhi.
15. Pramod Singh Negi
S/o Sh. Prem Singh Negi
Aged about 41 years.
Working as Lighting Assistant in Delhi Doordarshan, Delhi.
16. Ajay Kumar
S/o Sh. Vijay Kumar
Aged about 44years.
Working as Lighting Assistant in Delhi Doordarshan, Delhi.

17. Suresh Kumar Sachdeva
S/o Late Sh. R.L. Sachdeva
Aged about 45years.
Working as Lighting Assistant in Delhi Doordarshan, Delhi.
18. Anand Prakash
S/o Sh. Nanak Chand
Aged about 50years.
Working as Lighting Assistant in Delhi Doordarshan, Delhi.
19. Bhuwandra Kumar Garg
S/o Late Sh. Ramesh Chand
Aged about 44years.
Working as Lighting Assistant in Delhi Doordarshan, Delhi.
20. Ganesh Lal
S/o Sh. Bhagwan Dass
Aged about 47years.
Working as Lighting Assistant in Delhi Doordarshan, Delhi.
21. Anil Vaid
S/o Sh. O.P.
Aged about 48years.
Working as Lighting Assistant in Delhi Doordarshan, Delhi.
22. Mukesh Kumar
S/o Late Sh. Ishwar Chand
Aged about 45years.
Working as Lighting Assistant in Delhi Doordarshan, Delhi.
23. Shambu Nath Mishra
S/o Late Sh. R.P.Mishra
Aged about 40years.
Working as Lighting Assistant in Delhi Doordarshan, Delhi.

.....Applicants

(By Advocate : Mr. S.M.Garg)

Versus

1. Union of India
Through The Secretary
Ministry of Information & Broadcasting
Govt of India,
New Delhi.
2. The Director General
Delhi Doordarshan Kendra,
Phase,-I, Mandi House,
New Delhi.
3. Additional Director General
Doordarshan News,
Delhi Doordarshan Board,
Phase,-II, Mandi House,
New Delhi. `
4. The Director
Delhi Doordarshan Kendra,
Phase,-II, Mandi House,
New Delhi.
5. The Chief Executive Officer,
Parsar Bharti,
PTI, Building, Rai Sina Road,
New Delhi.-110001.
6. The Director
Central Production Centre
Khel Gaon, New Delhi. Respondents

(By Advocate: Mr. Rajeev Sharma)

ORDER (ORAL)

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

The prayer in this OA is for grant of regularization of services of the applicants w.e.f. the date of their initial engagement as Lighting Assistants with all consequential benefits, including re-fixation their seniority in the said grade and

consequential promotions accordingly, at par with their counterparts in Ranchi Doordarshan, where the similarly placed Lighting Assistants have been granted regularization from the date of their initial engagement whereas applicants have been regularised from the date of their regularization.

2. At the outset it is stated by the learned counsel for the respondents that department has already reviewed the order of Ranchi Doordarshan by which the similarly placed Lighting Assistants had been regularised from the date of initial engagement as Lighting Assistants by withdrawing the order and now regularised the services of aforesaid Lighting Assistants from the date of their regularisation. Therefore, the ground of parity no longer exists and the OA has become infructuous.

3. Learned counsel for the applicants states that the aforesaid withdrawal order in case of Ranchi Doordarshan has been challenged by some aggrieved Lighting Assistants, namely, P.K. Jha, A.Satish Kumar, Nand Kumar and Saruj Das before the Ranchi Bench of this Tribunal through OA NO. 051/00442 of 2016 and the Ranchi Bench of this Tribunal vide order dated 28.06.2016 has been pleased to stay the recovery of amount from the applicants therein.

4. As of today, therefore, the main cause of action of the applicants in this OA no longer survives as the respondents have now also regularised the services of the Lighting Assistant of Ranchi Doordarshan from the date of their regularisation itself and not from the date of their initial appointment. The OA has become infructuous and is, therefore, dismissed as such. However, the applicants are at liberty to revive this OA, if so advised under the provisions of law appropriately after the final order is passed in OA No. 051/00442/2016. No costs.

(Dr. Brahm Avtar Agrawal)
Member (J)

(P.K. Basu)
Member A)

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