

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI**

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OA 3131/2016

This the 11th day of July, 2018

**Hon'ble Justice Dinesh Gupta, Member (J)
Hon'ble Ms. Praveen Mahajan, Member (A)**

Pradeep Kumar, Age about 36 years,
S/o Sh. Joginder Singh
R/o H. No. 59, V.P.O.-Tikri Kalan,
Near Old Chaupal Tikri Kalan,
New DelhiApplicant

(By advocate: Mr. Anmol Pandita)

Versus

1. Govt. of N.C.T.D,
Through the Chief Secretary,
Govt. of NCT Delhi,
Delhi Secretariat,
I.P. Estate, New Delhi-110002
2. The Director,
Delhi Fire Service Headquarters,
Connaught Place, New Delhi-110001
3. The Chief Fire Officer,
Delhi Fire Service.
Connaught Place, New Delhi-110001
4. The Head of Office,
Govt. of NCTD,
Shankar Road Division,
Delhi Fire Service, New Delhi-110060
5. Delhi Institute of Fire Engineering
G-579, Raj Nagar Part II
(Near Dada Dev Mandir)
Sector-07, Dwarka,
New Delhi-77

....Respondents

(By Advocate: Mr. K.M. Singh)

ORDER (ORAL)

By Hon'ble Justice Dinesh Gupta, Member (J),

Heard Mr. Anmol Pandita, learned counsel for applicant and Mr. K.M. Singh, learned counsel for respondents.

2. The applicant has filed this OA seeking the following reliefs:-

“8.1 To quash & set-aside the order dated 29.06.2016 and to further direct the respondents that applicant be permitted to pursue the course Fire Technology and industrial safety management Course (Sub-Officer Course).

8.2 To keep one seat vacant in Delhi Fire and Industrial Institute of Delhi for the course of Fire technology and industrial safety management.

8.3 Any other relief which this Hon'ble court deems fit and proper and in the interest of justice may also be awarded to the applicant.”

3. The applicant also prayed for interim relief for keeping one seat vacant for the course of Fire Technology and Industrial Safety Management and this Tribunal vide order dated 24.10.2016 directed the respondents to issue provisional ‘No Objection Certificate’ to the applicant forthwith.

4. The Bench, on the basis of another candidate Mr. Manoj Kumar, directed the respondents to issue provisional NOC to the applicant. Thereafter, the respondents, in the OA, moved Review Application No. 275/2016 for vacation of interim order dated 24.10.2016, which was allowed vide order dated 03.04.2017 on the ground that the applicant had misled the Tribunal in obtaining the interim order. The applicant approached the High Court, who, vide

order dated 24.04.2017 in W.P.(C) No. 3481/2017, allowed the applicant to undergo and complete the course, which he was already undergo by way of Interim Order. Learned counsel for applicant submitted that the applicant had already completed that course and provisional certificate was issued and the result was awaited. The result of the said course was declared on 05.04.2018.

5. The Learned counsel for the respondents submitted that the applicant had pursued the course, which is not recognized and that is only a private institute. Further, he submitted that the National Fire Service College, Nagpur is working under Ministry of Home Affairs, Govt. of India in the field of service education and training in India and limited seats are available in the said Sub Officer course NFSC, Nagpur having six months course duration. A competitive examination is conducted by NFSC for selecting the candidates for undergoing Sub-Officers Course. The answering respondents permit its employees to get admission for the course conducted by NFSC, Nagpur. He further submitted that the respondents have already allowed two operators for pursuing six months course from NFSC, Nagpur, and both the candidates appeared and passed in the competitive examination conducted by NFSC, Nagpur. It is also submitted that the above said two operators are of 1963 Batch whereas the applicant is of 1964 Batch. He further submitted that the order obtaining of NOC was withdrawn by the Bench vide order dated 03.04.2017 in RA No.

275/2016. He also submitted that the OA has become infructuous, as the relief has already been granted to the applicant.

6. In view of above submissions made by learned counsel for the parties, we are of the view that the applicant has only asked for the relief to pursue the course of Fire Technology and Industrial Safety Management (Sub-Officer). Initially, the NOC was granted to the applicant but later on it was withdrawn. Since the applicant has already pursued the course and cleared the same, this OA has become infructuous and the same is accordingly dismissed. There shall be no orders as to costs.

(Praveen Mahajan)
Member (A)

(Justice Dinesh Gupta)
Member (J)

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