

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

O.A. No.60/547/2017

Date of decision: 25.07.2018

**CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J).
HON'BLE MRS. P. GOPINATH, MEMBER (A).**

Anoop Kumar, Constable, Number 180/CP (Class-C), aged 33 years, S/o Sh. Dharam Pal, R/o House No.107, Street No.5, Vill. Jujhar Nagar, Mohali.

... APPLICANT

VERSUS

1. Union Territory, Chandigarh Administration through Administrator, U.T. Civil Secretariat, Sector-9, Chandigarh.
2. Home Secretary, Chandigarh Administration U.T. Civil Secretariat, Sector-9, Chandigarh.
3. Inspector General of Police, Union Territory, Chandigarh Police Headquarters, Additional Deluxe Building, Sector 9-D, Chandigarh.
4. Senior Superintendent of Police, Union Territory, Chandigarh Police Headquarters, Additional Deluxe Building, Sector 9-D, Chandigarh.
5. Suresh Kumar ASI, Belt No.1296/CHG, Chandigarh Police, S/o Sh. Ramu Ram, Present Address: Police Training College, Jharoda Kalan, New Delhi.

... RESPONDENTS

PRESENT: Sh. B.S. Bajwa vice Sh. Jasbir Singh Banger, counsel for the applicant.

Sh. Rajesh Punj, counsel for respondents no.1 to 4.

Sh. Sandeep Siwatch vice Sh. Rohit Sharma, counsel for respondent no.5.

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J):-

1. Present O.A. has been filed by the applicant seeking the following relief (s):-
"8(1). To quash the appointment order dated 01.09.2016, No.35413-43/UT/E-1 (Annexure A-8) issued by respondent No.4, to the extent to

quash the appointment of Mr. Suresh Kumar an OBC candidate against the seat of general category and ordered to shift and appoint him on the seat of OBC category which is still lying vacant due to non availability of qualified candidate of OBC category, as respondents appointed Mr. Suresh Kumar only due to his elder in age despite of same marks of both the candidates in qualifying exam.

- (2). To issue the direction to appoint the applicant on the seat of general category, as both the candidates are on equal footing and got equal numbers i.e. 57 in the qualifying test. It is pertinent to mention here if Mr. Suresh Kumar is being shifted on the seat of OBC category and the applicant is being appointed on the seat of general then no candidate will suffer loss."
2. After exchange of pleadings, matter came up for hearing today.
3. Learned counsel for official respondents submitted that in view of the order 04.07.2018 passed in the case of Jaskirandeep Kaur vs. UOI & Ors. O.A. No.60/3/2017, this O.A. has been rendered infructuous, and may be disposed of as such.
4. Learned counsel for the applicant has not disputed the same.
5. Accordingly, the O.A. stands disposed of as having been rendered infructuous.

(P. GOPINATH)
MEMBER (A)

Date: 25.07.2018.
Place: Chandigarh.

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(SANJEEV KAUSHIK)
MEMBER (J)