

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...

**MA No.060/00783/2017 IN
OA No.060/00559/2017 &
MA No.060/01233/2017**

Chandigarh, this the 23rd day of August, 2018

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

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Dr. Thakur Deen Yadav, aged 54 years, S/o Sh. Ram Pher Yadav, Professor, Post Graduate Institute of Medical Education and Research, Sector 12, Chandigarh, R/o House No.1040, Sector 24-B, Chandigarh, Group-A.

....APPLICANT

(Present: Mr. R.K. Sharma, Advocate)

VERSUS

1. Union of India through Secretary to Government of India, Ministry of Health and Family Welfare, Nirman Bhawan, New Delhi.
2. Post Graduate Institute of Medical Education and Research, Sector 12, Chandigarh, through its Director.
3. Director, Post Graduate Institute of Medical Education and Research, Sector 12, Chandigarh.
4. The Governing Body, Post Graduate Institute of Medical Education and Research, Sector 12, Chandigarh, through its Chairman.
5. The Standing Selection Committee of Post Graduate Institute of Medical Education and Research, Sector 12, Chandigarh, through its Chairman.
6. Dr. V.M. Katoch, Former Chairman of Standing Selection Committee of Post Graduate Institute of Medical Education and Research, Sector 12, Chandigarh, presently Secretary (DHR) & DG (ICMR), Room No.8, TAI Building, 3 Red Cross Road, New Delhi-110001.

7. Professor K.K. Talwar, Former Director, Post Graduate Institute of Medical Education and Research, Sector 12, Chandigarh, R/o House No.C-625, New Friends Colony, New Delhi.
8. Dr. Surjit Singh, Professor of Paediatrics and Former Deputy Director (Admn.), Advanced Paediatric Centre, Post Graduate Institute of Medical Education and Research, Sector 12, Chandigarh, R/o House No.128, Sector 24 A, Chandigarh.
9. Dr. Rajinder Singh, Former Professor and Head-cum-Chairman Scrutiny Committee, 103/6 JB, Sector 24-A, Chandigarh.

....RESPONDENTS

(Present: Mr. Abhishek Kumar, Advocate proxy for Mr. Amit Jhanji, Advocate)

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J):-

1. Learned counsel for the applicant submitted that since during the pendency of Original Application (OA) the respondents have issued a recruitment notice for the same very vacancy (Professor in General Surgery), vide notification dated 19.07.2017 (Annexure A-20), in which the applicant has been provisionally allowed to participate in the selection process, without prejudice to his rights, in any manner, in pursuance of order dated 21.08.2017 by this Tribunal, and as such the OA in its present form has been rendered infructuous and can be dismissed, as a new cause of action has arisen. He states that the applicant would pursue the remedy on departmental side in view of the changed circumstances.

2. OA is dismissed as infructuous, as prayed.

3. Consequently, MAs also stand disposed of.

**(P. GOPINATH)
MEMBER (A)**

**(SANJEEV KAUSHIK)
MEMBER (J)**

Dated: 23.08.2018.

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