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

O.A.No.3091/2003

M.A.No.2678/2003

Hon'ble Mr.Justice V.S. Aggarwal, Chairman  
Hon'ble Mr.S.K. Naik, Member(A)

New Delhi, this the 10<sup>th</sup> day of November, 2004

1. Krishan Pal s/o Shri Ram Swaroop  
R/o 623, Nehru Enclave, School Block,  
Shakarpur, Delhi

2. Chaman Singh s/o Shri Guljari,  
R/o C-320, Gali No.11, Gagan Vihar,  
Near Gokulpuri, Delhi-94

3. Sukhbir Singh s/o Shri Deep Chand  
R/o 11/12, Vishnu Garden, Khayala,  
New Delhi

....Applicants

(By Advocate: Shri U.Srivastava)

Versus

1. Government of N.C.T. of Delhi, through  
The Secretary,  
Health & Family Welfare Department,  
9<sup>th</sup> Level, Delhi Secretariat,  
I.P.Estate, New Delhi-1

2. The Director,  
Director of Health Services,  
F-17, Karkardooma, New Delhi

3. The Dean,  
Maulana Azad Medical College,  
New Delhi.

4. The Administrative Officer (Estate),  
Maulana Azad Medical College,  
New Delhi

5. Kishore Kumar

6. Raj Kumar

7. Madhu (The notice may be served to the Respondents No.5 to 7  
through respondents No.3 &4)

....Respondents

(By Advocate: Shri Ram Kavar, for respondent 1-4  
None for respondents 5-7)

Order(Oral)

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Justice V.S. Aggarwal, Chairman

The applicants had filed the present application seeking quashing and setting aside of the selection proceedings of private respondents (respondents 5 to 7) and to direct to make a fresh selection for the post of Post Mortem Attendant in accordance with law.


2.It is not being disputed at either end that after the present application has been filed, the respondents have withdrawn the offer of appointment given to respondents 5 and 7. Learned counsel for official respondents states that respondent no.6 was never selected.

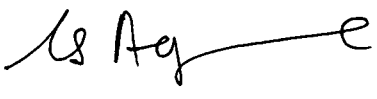
3.Learned counsel for the official respondents stated that the posts of Post Mortem Attendant have been abolished and, therefore, the petition has become infructuous.

4.Learned counsel for the applicants stated at the Bar that if so advised, he will take recourse under the law to challenge the action of the respondents whereby the posts have been abolished.

5.Pertaining to abolition of posts, since it was not a subject matter of controversy before this Tribunal, no opinion is being expressed.

6.Keeping in view that the post to which the applicants are seeking fresh selection has been abolished, the present petition has become infructuous and, therefore, it is disposed of as such.

  
( S.K. Naik )  
Member(A)

  
( V.S. Aggarwal )  
Chairman

