

**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR**

Original Application No.290/00263/2017

Reserved on : 21.01.2020

Jodhpur, this the 27th January, 2020

CORAM

Hon'ble Smt Hina P. Shah, Judicial Member

Hon'ble Ms Archana Nigam, Administrative Member

Baldeo Ram son of Shri Harji Ram, aged 51 years, Skilled Support Staff, Central Arid Zone Research Institute, Jodhpur resident of village Basani Lacho Jodhpur.

.....Applicant

By Advocate : Mr Vijay Mehta.

Versus

1. Indian council of Agricultural Research, Krishi Bhawan, New Delhi, through it Secretary, Krishi Bhawan, New Delhi.
2. Director, Central Arid Zone Research Institute, Jodhpur.
3. Chief Administrative Officer, Central Arid Zone Research Institute, Jodhpur.

.....Respondents

By Advocate : Mr Rajesh Bhati.

ORDER

Per Smt. Hina P. Shah

This Original Application has been filed by the applicants under Section 19 of Administrative Tribunals Act, 1985 seeking following reliefs:

“The applicant prays that impugned action of the respondents and the impugned order ANN A 1 and the order of approval passed by the respondent No. 2 to not to regularize the services of the applicant may kindly be quashed/modified. The applicant prays that the respondents may kindly be directed to regularize the services of the

applicant from 29.10.1989, the date from which his juniors and many other casual labour were regularized or from any other date as deemed fit by this Hon'ble Tribunal with all consequential benefits including salary, seniority, bonus and all related benefits from the date of his initial appointment. Any other order, giving relief to the applicant may also be awarded to the applicant with costs.”

2. Heard both sides.

3. Learned counsel for the respondents submitted that impugned order dated 28.10.2016 (Annex. A/1) in respect of the applicant has been modified/superseded by order dated 22.03.2018 issued by the respondents in compliance of Hon'ble High Court of Rajasthan, Jodhpur order dated 29.09.2016 passed in SBCWP No. 2449/2015. He thus submitted that nothing survives in the present OA as order of challenge itself stood modified in pursuance of Hon'ble High Court's order.

4. Learned counsel for the applicant acknowledged the fact that respondents had issued order dated 22.03.2018 modifying their earlier order dated 28.10.2016 which is order impugned in the present OA.

5. In view of the above submissions and taking note of the fact that respondents have modified impugned order dated 28.10.2016 by issuing order dated 22.03.2018, present OA is dismissed as infructuous. Order No. 10-286/CC/BR/2012-Legal Cell dated 22.03.2018 is taken on record.

[Archana Nigam]
Administrative Member
 Ss/-

[Hina P. Shah]
Judicial Member