



**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA**

O.A/350/1070/2017

Date of Order: 26.02.2020

Coram: Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. (Ms.) Nandita Chatterjee, Administrative Member

Piyas Kumar Dolui, son of late Niranjan Dolui, aged about 48 years, working as Semi Skilled (Labourer), at Gun & Shell Factory, Cossipore, B. T. Road, Kolkata 700002, residing at 14, Sitalamata Lane, Post Office – Nawapara, Kolkata 700090.

--Applicant

-versus-



1. Union of India, service through the Secretary, Ministry of Defence, Government of India, New Delhi -1.
2. Chairman, Ordnance Factory Board, 10 A, S. K. Bose Road, Kolkata 700001.
3. The Director General Ordnance Factories, Govt. of India, Ministry of Defence, Ordnance Factory Board, Ayudh Bhawan, 10A, Shaheed Khudiram Bose Road, Kolkata – 700001.
4. Sr. General Manager, Gun & Shell Factory, Cossipore, Kolkata 700002.
5. Joint General Manager (Admn.I), Gun & Shell Factory, B. T. Road, Kolkata 700002.

--Respondents

For The Applicant(s): Mr. A. Chakraborty, counsel
Ms. P. Mondal, counsel
For The Respondent(s): Mr. B. P. Manna, counsel

ORDER (O R A L)

Per: Ms. Bidisha Banerjee, Member (J):

Heard ld. counsel for both sides.

2. This O.A has been preferred to seek the following relief:

- "i) An order directing the respondents to set aside, revoke and/or rescind the impugned charge-sheet dated 01.02.2015 issued by the Respondent no. 3 being illegal, arbitrary, discriminatory and violative of Principles of natural justice.
- ii) Order dated 16.12.2015 issued by the Disciplinary Authority cannot be sustained and same may be quashed.
- iii) Order dated 26.04.2016 received by the applicant 29.07.2016 cannot be sustained in the eye of law and therefore the same may be quashed and he may granted consequential benefits.

iv) To pass such further and other orders/directions as the Hon'ble Court may deem fit and proper."

3. Ld. counsel for the respondents bring to our notice the order of the Appellate Authority dated 31.12.18 and submits that the Appellate Authority has quashed the charge memorandum as well as the penalty order.

4. Since the Appellate Authority has passed its order, the O.A has become infructuous and is accordingly disposed of as infructuous. No costs.



5. Document produced by ld. counsel for the respondents is taken on record.

(Nandita Chatterjee)
Member (A)

(Bidisha Banerjee)
Member (J)