

Central Administrative Tribunal
Principal Bench: New Delhi

O.A. No. 2817/2001

This the 26th day of July, 2002

Hon'ble Smt. Lakshmi Swaminathan, Vice-Chairman (J)
Hon'ble Shri V.K. Majotra, Member (A)

Dr. (Mrs.) Tripta Goel,
(Dr. (Mrs.) Tripta Kumari,
B.Sc. MSc. Ph.D., M.I.E., M.I.R.C.,
Asstt. Prof. Deptt. of Civil Engg.,
Regional Engg. College,
Hamirpur (H.P.)-177005 -Applicant

(By Advocate: Shri Kaushal Yadav, learned proxy for
Shri Pradeep Gupta with Shri C.M.
Kennedy Singh)

Versus

Union Public Service Commission,
Through its Secretary,
Shahjahan Road,
New Delhi. -Respondent

(By Advocate: Shri Inderjeet Singh, learned
proxy for Shri Rajinder Nischal)

ORDER (Oral)

Hon'ble Smt. Lakshmi Swaminathan, Vice-Chairman (J)

Shri Kaushal Yadav learned proxy counsel for
Shri Pradeep Gupta together with Shri C.M. Kennedy,
counsel for applicant who appeared earlier on
14.5.2002 present and heard. Shri Inderjeet Singh,
learned proxy counsel for Shri Rajinder Nischal for
respondents also heard.

2. Shri Kaushal Yadav, learned proxy counsel for
applicant submits that the applicant has not
implemented the Tribunal's order dated 11.12.2001 by
way of amending the present OA but had filed another
Original Application (OA-604/2002). Learned proxy
counsel for respondents, Shri Inderjeet Singh stated

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that OA-604/2002 was listed today before the Registrar's court and the counter affidavit on behalf of respondents has already been filed in that OA. He has submitted that in the circumstances, the present O.A. has become infructuous.

3. Learned counsel for applicant submits that in OA-604/2002, the applicant is seeking not only the remedies in the present OA but also certain additional remedies. At the same time, learned counsel submits that the present OA has not become infructuous although Shri C. M. Kennedy Singh, learned proxy counsel had said so on 14.5.2002.

4. From the above facts it is seen that admittedly the applicant has filed another Original Application raising the same issues and controversies as in this OA and in addition, the learned counsel for applicant have also stated that they have not complied with Tribunal's order dated 11.12.2001, this O.A. has become infructuous and their seeking further time to file rejoinder to the reply filed to the O.A. as far back on 2.11.2001 is not only unreasonable but is unwarranted. In the circumstances, that plea is rejected. For the same reasons given above, the OA also stands dismissed. MA-2694/2001 has already been disposed of on 11.12.2001.



(V.K. Majotra)
Member (A)



(Smt. Lakshmi Swaminathan)
Vice-Chairman (J)

cc.