

CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH

O.A. No. 2602/94

NEW DELHI, THIS THE 19<sup>th</sup> DAY OF AUGUST, 1999.

HON'BLE MR.JUSTICE K.M.AGARWAL, CHAIRMAN  
HON'BLE MR.N.SAHU, MEMBER(A)

Haridas Singh Kanwara  
S/o Sh.P.N.Kanwara  
Chargeman Grade-I  
Project Office  
Ordnance Factory  
Khamaria, Jabalpur.

....Applicant.

(None for the applicant)

vs.

1. Union of India through  
Secretary,  
Ministry of Defence Production  
Govt.of India  
New Delhi.
2. Chairman  
O.F.B.  
6,Esplanade East  
Calcutta.
3. Member, Personnel  
O.F.B.  
44, Park Street  
Calcutta.
4. Secretary  
O.F.B.  
6, Esplanade EAsst  
Calcutta.
5. General Manager  
Ordnance Factory  
Khamaria  
Jabalpur.

....Respondents

(None for the respondents)

ORDER

JUSTICE K.M.AGARWAL:

When this case was listed for final hearing on 10.8.1999, no one appeared on either side and, therefore, with a view to decide the case on merits as per the Central Administrative Tribunal (Procedure) Rules,1987, instead of dismissing it in default, the case was closed for orders. When we started going through the papers, it transpired that initially the civil suit was filed in the year 1982 in

the court of IX Civil Judge Class II, Jabalpur and pursuant to Section 29(1) of the Administrative Tribunals Act, 1985, the case was transferred to the Jabalpur Bench of the Tribunal. After hearing the case, the D.B. referred it for hearing by a Full Bench. The Full Bench recorded the following order in this case on 22.12.1995:-

"This was a civil suit in the Court of VIIth Civil Judge, Class-I Jabalpur. As seen from the plaint, the grievance of the plaintiff is that his name was excluded from the list of Assistant Foreman (Mechanical) prepared on 11.12.1979 on the basis of the DPC recommendations. Obviously, this is a case of simple promotion. Accordingly, we direct that this OA be placed before the Division Bench for expeditious disposal as this is a Transferred Application of 1987."

It appears that by now the applicant has retired and no longer has interest in this case looking to the nature of dispute raised by him in this case. Under these circumstances, we hereby dismiss this O.A. as having become infructuous. No costs.

*K.M. Agarwal*  
(K.M. AGARWAL)  
CHAIRMAN

*N. Sahu*  
(N. SAHU)  
MEMBER(A)