

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

O.A. 154 of 1989

New Delhi this the 6th day of April, 1994

Mr. Justice S.K. Dhaon, Vice-Chairman
Mr. B.K. Singh, MemberShri S.B. Mathur
R/o 23-CD, Janak Puri,
New Delhi.

...Applicant

None for the Applicant

Versus

1. Union of India through
The Secretary,
Ministry of Industries,
Udyog Bhavan,
New Delhi.
2. The Secretary,
Department of Company Affairs,
Shastri Bhavan,
5th Floor,
Dr. Rajendra Prasad Road,
New Delhi.
3. Shri O.P. Gupta,
Director,
Inspection and Investigation,
Department of Company Affairs,
Shastri Bhavan,
5th Floor,
Dr. Rajendra Prasad Road,
New Delhi.
4. Shri K.K. Dhar,
Regional Director,
Company Law Board,
Southern Region,
Shastri Bhavan,
35, Haddows Road,
Nungumbakkam,
Madras.

... Respondents

S/Shri Rakesh Moza, Section Officer and K.L. Mangtani,
Chief Legal Assistant on behalf of respondent Nos. 1 and 2.

ORDER (ORAL)

Mr. Justice S.K. Dhaon, Vice-Chairman

The controversy in this O.A. pertains to the prayer for super time scale in the Central Law Company Service.

2. The applicant came out with the grievance that that without preparing a combined seniority list, the respondents had promoted S/Shri O.P. Gupta and K.K. Dhar. Though Shri O.P. Gupta was impleaded as one of the respondents, Shri K.K. Dhar had been added as one of the

2.

respondents by means of an amendment^{which was} allowed on 13.09.1990. S/Shri Rakesh Moza and K.L. Mangtani who represent the respondents state that, during the pendency of this O.A. S/Shri O.P. Gupta and K.K. Dhar have retired. They also state that during the pendency of this O.A. one Shri Bhawani Shanker was appointed to the selection grade (super time scale) and he too has retired. They further state that thereafter S/Shri U.P. Mathur, Dr. A.K. Doshi, R. Aghoramurthy and M.I. Sharma who were duly considered were given the super time scale. It is also stated that during the pendency of this O.A., a major punishment had been imposed on the applicant and, therefore, his case for giving super time scale was not considered.

3. From a perusal of the record it transpires that the applicant has not cared to get this O.A. amended so as to implead the aforementioned 4 persons who have been given the super time scale during the pendency of this O.A.

4. In our opinion, this O.A. has become infructuous by efflux of time. Moreoever, in the absence of necessary parties, namely, the 4 gentlemen who have been given the super time scale, no effective relief can be granted to the applicant.

5. Lastly and more importantly, the applicant having been awarded a major penalty has hardly any interest left to maintain this application.

6. This application is dismissed but without any order as to costs.

(B.K. SINGH)
MEMBER (A)

(S.K. DHAON)
VICE CHAIRMAN