



**Central Administrative Tribunal  
Principal Bench, New Delhi**

M.A. No.1936/2020  
OA No.4372/2015

Today this the 22<sup>nd</sup> day of October, 2020

Through video conferencing

**Hon'ble Mr. A K Bishnoi, Member (A)**  
**Hon'ble Mr. R. N. Singh, Member (J)**

1. Mohinder Yadav  
Age 39 years  
S/o Shri N K Yadav  
Presently working as Dy. CPRO,  
DMRC  
RZF-569, Rajnagar-II, Palam Colony,  
New Delhi-45

... Applicant

(By Advocate: Mr. M.K. Bhardwaj)

Versus

1. Delhi Metro Rail Corporation  
Through  
Its Managing Director  
Metro Bhawan  
New Delhi-110001
2. The General Manager (HR)  
Delhi Metro Rail Corporation  
Metro Bhawan  
New Delhi-110001
3. Smt Sushma Gaur  
Senior Deputy General Manager (Sr. DGM)  
Delhi Metro Rail Corporation  
Metro Bhawan  
New Delhi-110001

.. Respondents

(By Advocate: Mr.V.S.R. Krishna)

**ORDER (ORAL)****Hon'ble Mr. R. N. Singh, Member (J):****MA No. 1936/2020**

The present MA has been filed by the applicants therein i.e. respondents in the OA and para 2 of the MA reads as under:-

“2. That the applicant has submitted a letter dated 14.09.2020 to the respondents stating that in view of the resignation tendered by Ms. Sushma Gaur, Respondent No.3 in the above original application, the cause of action and grievance does not survive anymore and that the same has become infructuous. True copy of letter dated 14.09.2020 is annexed and marked as **Annexure M-1.**”

2. Annexure M-1 is stated to be a letter dated 14.9.2020 of the applicant in the OA addressed to the respondents, which reads as under:-

“Dated :14/09/2020

To,

The Executive Director (HR)  
6<sup>th</sup> Floor, Metro Bhawan,  
Barakhamba Road,  
New Delhi-110001.

Subject – Withdrawal of my Original  
Application, No. 4372/2015,  
pending before Hon'ble CAT –  
reg.



It is submitted that the undersigned had filed an Original Application No. 4372/2015, before the Hon'ble CAT, being aggrieved with the action of DMRC and for quashing the seniority list issued by the DMRC, vide the impugned Order, dated: 24/08/2015, which showed the Respondent No.3 in my Application, Ms. Sushma Gaur, as senior to the undersigned.

Consequent upon Ms. Sushma Gaur's resignation from DMRC and joined NHSRCL, on the post of AGM, there exist no grievance of my seniority in DMRC and the cause of action does not service anymore.

In view of the above, it is requested that the Management may like to move an appropriate Application before the Hon'ble CAT, for disposal of my Original Application, on the ground that my cause of action has become infructuous, consequent upon the resignation of Respondent no.3, Ms. Sushma Gaur.

Your sincerely,  
Sd/-  
(Mohinder Yadav)  
Sr.DGM/CC"

3. Shri Bhardwaj, learned counsel for the applicant in the OA submits that though he is not having any instruction but keeping in view the averment made by the respondents in the present MA, the OA may be declared as having become infructuous.

4. In view of the aforesaid, MA is disposed of keeping in view the assertion made by the applicant in



his letter dated 14.9.2020. Accordingly, the MA is allowed and OA stands disposed of having become infructuous. There shall be no order as to costs.

**(R. N. Singh)**  
**Member (J)**

**(A. K. Bishnoi)**  
**Member (A)**

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