

**Open Court**

CENTRAL ADMINISTRATIVE TRIBUNAL,  
ALLAHABAD BENCH, ALLAHABAD

(This the 17<sup>th</sup> Day of February, 2021)

**Hon'ble Mrs. Justice Vijay Lakshmi, Member (Judicial)**

**Original Application No.330/01122/2011**

1. Bhadra Sheet Sharma, S/o Late R.P. Shukla, R/o 190, Alopri Bagh, Allahabad.
2. Kunwar Narendra Singh, S/o Thakur Amar Singh R/o 126/21 Bauns Mandi Mutthiganj, Allahabad.
3. Badri Prasad Yadav S/o Late Baij Nath Prasad, R/o H. No.1117-B, Kalayani Devi, Malviya Nagar, Allahabad , Pin Code-211003.
4. Vijay Kumar S/o Sri Nageshwar Prasad Verma R/o 157, Ghanshyam Market, Jhonsonganj, Allahabad.

..... **Applicant**

**By Advocate:   None**

Versus

1. Union of India through its Secretary, Ministry of Heavy Industries, Government of India, New Delhi.
2. Bharat Pumps and Compressors Ltd., Naini, Allahabad through its Managing Director, Pin Code 211010.
3. The Chairman/Managing Director, Bharat Pumps and Compressors Ltd., Naini, Allahabad, Pin Code 211010.
4. The Manager (HRD) Bharat Pumps and Compressors, Ltd., Naini, Allahabad. Pin Code 211010.

..... **Respondents**

**By Advocate:   None**

**O R D E R**

**Delivered by Hon'ble Mrs. Justice Vijay Lakshmi, Member (J)**

List revised. No one is present on behalf either of the parties even in the revised call.

**2.** The instant Original Application is pending since the year 2011 and has become critically old. It was lastly listed on 31.07.2013 when in wake of the fact that a writ petition no. Writ (A) 76489 of 2011 is pending before Hon'ble High Court it was adjourned sine die till the final order of Hon'ble High Court. Since then it is pending in the same status.

**3.** Under my instruction, this case was listed on 15.02.2021. However, no one was found present from either side even in the revised call.

**4.** A perusal of the record shows that some similarly situated employees of BPCL had earlier filed OA No.1619 of 2010 before this Tribunal, which was allowed by this Tribunal vide order dated 08.07.2011. The respondents, BPCL challenged the aforesaid order passed by this Tribunal before Hon'ble High Court of Allahabad by means of aforesaid Writ (A) No.76489 of 2011. As the similar matter was pending before the Hon'ble High Court, the instant OA was adjourned sine die till the final orders of Hon'ble High Court.

**5.** Hon'ble High Court has finally decided the aforesaid writ petition filed by BPCL (respondent in OA) on 25.04.2014, copy of the order of Hon'ble High Court is available on record, which shows that Hon'ble High Court has allowed the writ petition and has set aside the order passed by this Tribunal in OA No.1619 of 2010 (The OA filed earlier by similarly situated employees).

6. As the Hon'ble High Court has quashed the order of this Tribunal and the applicants of that OA have not challenged the order of Hon'ble High Court before the Hon'ble Apex Court, the matter has attained finality. Perhaps for this reason, no one has appeared before this Tribunal to press the present OA. The reason is quite obvious that the order passed by this Tribunal, on the basis of which the applicants are claiming the same relief, has been quashed by the Hon'ble High Court.

7. In view of the above, the instant OA is liable to be dismissed and is accordingly dismissed for want of prosecution.

8. There shall be no order as to costs.

**(Justice Vijay Lakshmi)  
Member (J)**

Sushil