

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CHENNAI BENCH**

**OA/310/01635/2016**

**Dated Wednesday the 17<sup>th</sup> day of January Two Thousand Eighteen**

**PRESENT**

**HON'BLE MR. R. RAMANUJAM, Member (A)**

K. Baranitharan,  
Son of K. Kalidasan, aged about 48 years,  
Residing at House No. 9, Block No. 18,  
2<sup>nd</sup> Floor, CPWD Quarters, K.K. Nagar,  
Chennai 600078. ....Applicant

By Advocate M/s. Sai, Bharath & Ilan

**Vs**

1. The Intellectual Property Appellate Board,  
rep by its Chairman, Ministry of Commerce & Industries,  
Guna Complex, 443, Anna Salai,  
Teynampet, Chennai 600018.
2. The Deputy Registrar,  
The Intellectual Property Appellate Board,  
Guna Complex, 443, Anna Salai,  
Teynampet,  
Chennai 600018. ....Respondents

By Advocate Mr. C. Kulanthaivel

ORAL ORDER

(Pronounced by Hon'ble Mr. R. Ramanujam, Member(A))

The applicant has filed this OA under section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:

- "a) Call for the records on the file of the second respondent relating to the impugned order bearing Ref. No. A12037/1/2016/IPAB-CHN/3239 and dated 02.09.2016 and quash the same;
- b) award costs of the Original Application;
- c) and pass such further or other orders and thus render justice."

2. Heard. Learned counsel for applicant would draw attention to the following statement in the reply of the respondents:

"5. I submit that K. Baranitharan, Peon has been posted at Principal Bench of Intellectual Property Appellate Board at Chennai w.e.f., 01/12/2016 vide office order No. A-20020/7/2006-IPAB/CHN dated 28/11/2016 after considering the representation dated 19/10/2016 by the Hon'ble Acting Chairman. The order transferring K. Baranitharan to New Delhi as per order dated 28/11/2016 has been kept in abeyance. We are not proceeding further and the impugned order date 02/09/2016 will not be represented in future. If any transfer of the applicant in future is required separate transfer order will be passed. In view of the same the petition do not survive."

3. It is also pointed out that the respondents themselves have prayed that in view of the afore said submission, OA may be dismissed as infructuous.

4. Mr. S. Nagarajan appears on behalf of Mr. C. Kulanthaivel, Counsel for respondents and submits that the OA could be disposed of accordingly.





5. As the respondents are not proceeding with the implementation of impugned order dated 02.09.2016 and have given an assurance to this effect, nothing would survive in this OA.

6. In view of the assurance, the respondents are directed to withdraw the impugned order within one week from the date of receipt of copy of this order and upon such withdrawal, the OA shall stand dismissed as infructuous.

7. OA is disposed of accordingly as above.