

CENTRAL ADMINISTRATIVE TRIBUNAL
PATNA BENCH, PATNA
OA/05/00313/2020

Date of Order :15.01.2021

C O R A M



HON'BLE MR. M.C.VERMA, JUDICIAL MEMBER
HON'BLE MR. SUNIL KUMAR SINHA, ADMINISTRATIVE MEMBER

Indra Vijay Kumar, S/o Sri Radheshyam Singh, Village & P.O.-
Bangaon, P.S.-Bajpatti, District-Sitamarhi.

..... Applicant.

- By Advocate : Shri J.K.Karn.

-Versus-

1. The Union of India through the D.G. Cum Secretary, Department of Posts, Dak Bhawan, New Delhi-110001.
2. The Post Master General, Northern Region, Muzaffarpur-842002.
3. The Director of Postal Services, Northern Region, Muzaffarpur-842002.
4. The Superintendent of Post Offices, Sitamarhi Division, Sitamarhi-843301.
5. The Inspector of Post Offices, East sub Division, Sitamarhi-843305.

..... Respondents.

By Advocate :- Shri H.P. Singh, Id. Sr. SC.

ORDER [ORAL]

Per M.C.Verma, Member (Judl.)

1. On 20.01.2016 the applicant was placed under put off duty.

The applicant raising plea that as per settled legal preposition,

period of put off duty ought not to be of period beyond 45

days, has filed this OA with prayer to quash the order dated 20.01.2016. W.S. in this case has already been filed, the matter is at admission hearing, as previously applicant did wish to file rejoinder. Rejoinder has not yet been filed.

2. Today learned counsel Shri J.K.Karn, appearing for applicant urged that in changed circumstances there is no need to file rejoinder and that OA may be heard for final disposal and may be disposed of. He explained that respondents, taking undue advantage during pendency has since passed order of removal from service of the applicant and, that applicant therefore has to challenge said order of removal from service and thus the instant OA, in present scenario to some extent has become in-fructuous. He adding that there is no utility to keep this OA pending as the applicant will exhaust remedy against the order of removal, requested to pass appropriate order.
3. Learned counsel for the respondents do concedes that order for removal from service has been passed on 5/14.12.2020 and submitting so placed on record copy of the order passed. He urged that OA become in-fructuous.
4. In view of submissions and taking note of order dated 5/14.12.2020, placed on record by counsel for respondents, the OA is disposed of as in-fructuous.

[Sunil Kumar Sinha]
Member (A)

[M.C. Verma]
Member (J)

