

(18)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH: NEW DELHI

OA No. 1898/87 .. Date of decision: 14.05.93

Sh. Hari Ram .. Applicant

Versus

Union of India .. Respondents

CORAM

Hon`ble Sh. A.B. Gorthi, Member (A)

Hon`ble Sh. C.J. Roy, Member (C)

For the applicant .. None

For the respondents..Sh.P.P. Khurana, Counsel.

JUDGEMENT (Oral)

(Delivered by Hon`ble Sh. A.B. Gorthi, Member(A)

When this case was listed initially for hearing on 12.05.93, none appeared for either side. The case was posted for hearing peremptorily today. Even today neither the applicant nor his counsel is present. We do not wish to further delay the finalisation of this old case. We have therefore, perused the records and heard Sh. P.P. Khurana, learned counsel for the respondents.

2. Sh. P.P. Khurana, learned counsel for the respondents shows us order dated 24.02.89 of the Ministry of Agriculture, Department of Agriculture & Cooperation to the effect that the penalty of compulsory retirement imposed upon the applicant is

set aside and that denovo proceedings were directed to be initiated. Another order dated 10.03.89 by the General Manager, Delhi Milk Scheme is also shown to us. This is the order by which denovo disciplinary proceedings are to be held against the applicant. (The orders produced by Sh. P.P. Khurana be taken on record).

3. In the original application, the prayer of the applicant is that the order of compulsory retirement imposed upon him on 10.7.86 by the Deputy General Manager (Admn.) be set aside and that the order of the Appellate Authority dated 3.3.87 rejecting the appeal of the applicant and confirming the penalty of compulsory retirement also be quashed.

4. As already stated, the respondents have since quashed the penalty order dated 10.07.86 and directed denovo disciplinary proceedings to be initiated against the applicant. In view of this, nothing survives for adjudication in this O.A. The same is, therefore, hereby dismissed. We, however, make it clear that it is open to the applicant to approach this Tribunal, if he is aggrieved by any subsequent order passed by the competent authority.

There shall be no order as to costs.

fisher
(C.J. Roy)

Member (J)

gorthi
(A.B. Gorthi)

Member (A)