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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI

O.A.NO.1430/91

Hon'ble Shri J.P.Sharma, Member (J)  
Hon'ble Shri R.K.Ahooja, Member (A)

New Delhi, this 8th day of August, 1995

Shri S.S.Lakra,  
s/o Shri Ram Kala  
r/o Village & Post Office Mundka  
c/o State Bank Building.  
NEW DELHI.

... Applicant

(By Shri P.P.Khurana, Advocate)

Versus

Union of India: through

The Secretary  
Department of Personnel  
Ministry of Personnel Pension and  
Public Grievances  
North Block  
New Delhi.

The Director  
Central Bureau of Investigation  
C.G.O.Complex  
NEW DELHI.

... Respondents

(By Shri P.H.Ramchandani, Advocate)

O R D E R (Oral)

Shri J.P.Sharma, Member (J)

The applicant had filed this application under Section 19 of the Administrative Tribunal Act, 1985 in June, 1991, when the applicant was working as Inspector of Police and was duly confirmed on that post w.e.f. 26.07.1982. The next promotion was to the rank of Deputy Superintendent of Police in the Central Bureau of Investigation. The relief prayed for the applicant was that to direct the respondents to promote the applicant

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to the rank of Deputy Superintendent of Police with effect from the date his immediate juniors were promoted. At the time of filing of this application, by an order dated 18.6.1991 it was directed that the respondents were to open the sealed cover and give effect of the recommendations made by the Departmental Promotion Committee, in regard to the suitability of the applicant for promotion, within a period of one month from the date of receipt of this order, as at the time DPC was held, there were no disciplinary proceedings against the applicant.

When the case came up for hearing, learned counsel for the applicant made a statement at the Bar that the applicant has since been promoted and that thereafter a charge-sheet was served on the applicant but that was quashed on a petition filed by the applicant in another Original Application in this Hon'ble Tribunal and that Charge-sheet was also quashed and that order has upheld by Hon'ble Supreme Court in S.L.P. against that order by Union of India. The learned counsel for the respondents states that the nothing survives in this OA, as the applicant has already been given promotion by opening of the sealed cover and giving effect to the recommendations of the Departmental Promotion Committee.

In view of the above, this application is rejected as <sup>However, the interim order is made absolutely in favour of applicant -</sup> infructuous. There shall be no order as to costs.

*Ahmed*  
(R.K.AHOOJA)  
MEMBER (A)

*Sharma*  
(J.P.SHARMA)  
MEMBER (J)

/RAO/