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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

OA-3121/91

New Delhi this the 7th day of May, 1997.

Hon'ble Dr. Jose P. Verghese, Vice-Chairman(J)
Hon'ble Sh. S.P. Biswas, Member(A)

Shri M.C. Srivastava,
S/o Sh. R.C. Srivastava,
R/o A-272, Surya Nagar,
Ghaziabad. Applicant

(through Sh. G.D. Gupta, advocate)

versus

Union of India through
Secretary to the Govt. of India,
Ministry of Labour,
Shramshakti Bhawan,
New Delhi. Respondent

(through Sh. K.R. Sachdeva, advocate)

ORDER(ORAL)

delivered by Hon'ble Dr. Jose P. Verghese, V.C.(J)

The applicant in the present case has challenged the chargesheet and the report of the enquiry officer. The respondents had not passed any final order on the pending disciplinary proceedings when the said O.A. was filed. The applicant has also sought other reliefs in this O.A. such as a direction be issued to the respondents to promote him to the next grade if found fit and further direct them to arrange payment of arrears, allowances and increment etc. The reliefs now sought in the said O.A. have become infructuous on the face of the order of the U.P.S.C. recommending imposition of penalty dated 4.11.92 and the final order of penalty of dismissal by the impugned order dated 24.11.92. The applicant has subsequently filed another OA-1720/93 challenging the chargesheet, the report of the enquiry, recommendations of U.P.S.C. and the impugned order of

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1992. In view of the fact of the second OA-1720/93, and in the circumstances, OA-3121/91 has become infructuous.

The applicant is given liberty to rely on the said O.A. for the purpose of reference at the time of final hearing of OA-1720/93 and any reliefs not claimed in OA-1720/93 and at the same time claimed in OA-3121/91 are open to him to claim in OA-1720/93.

With the aforesaid directions/observations, this O.A. is disposed of as having become infructuous.



(S.P. Biswas)
Member(A)



(Dr. Jose P. Verghese)
Vice-Chairman(J)

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