

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

(a)

O.A. No. 131/92  
M.A. No. 1837/94

New Delhi this the 10th of August, 1994

Hon'ble Shri J.P. Sharma, Member (J)  
Hon'ble Shri P. T.. Thiruvengadam, Member (A)

Shri Abdul Wahedkhan Abdul Gafarkhan,  
Junior Teacher (Science)  
Railway Secondary School,  
Dahod

(By Advocate Shri S.M. Garg)

VS

1. The Union of India,  
through Shri H.P. Mittal  
General Manager,  
Western Railway Administration,  
Churchgate, Bombay.
2. Chief Personnel Officer,  
Shri Mahinder Singh,  
Western Railway,  
Churchgate,  
Bombay. ... Respondents

(By Advocate: Shri O.N. Mooltri)

**O R D E R (ORAL)**

Hon'ble Shri J.P. Sharma, Member (J)  
M.A. 819/94 was dismissed in default. So the  
reailways respondents moved M.A. 1837/94. A notice of  
this M.A. was taken by Shri S.M. Garg who appeared as  
proxy counsel for the main counsel Shri R. Venkataramani.  
Today's date was fixed for disposal of the M.A. None is  
present on behalf of the original applicant.

Shri O.N. Moolri, learned counsel for the respondents has filed the application on their behalf and under the signatures of Shri P.K. Goel, APO(W),Dahod and President Rly. School, Dahod stated at the bar that he had a communication with the counsel for the applicant Shri R. Venkataramani on 13.7.1994 that the applicant had got the

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relief prayed for and as such this application shall not be prosecuted by the applicant. We accept this as a statement by the lawyer and on that we have scrutinised the file and have purused the pleadings of the parties.

Before filing this OA in January 1992 it appears that the applicant has also filed certain proceedings which came on transfer to the CAT Ahmedabad Bench and registered as 758/86, O.A. No. 30/91 and 802/88. All these were disposed of much after the filing of the present application dated 13.12.1993. On the basis of the statement of Shri Shah who appeared for the applicant and withdrawn the application mentioned above on the statement given by the learned counsel of the respondents Shri B Shevde of the granting of certain pay scales to the petitioners.

The impugned order assailed in the present O.A. dated 18.10.1991 which goes to show that on the nomination of a candidate Shri Jai Dev Goswami by RBB, the ad hoc appointment of the applicant of the post of TGT (Biology) was terminated and the applicant was ordered to be reverted to the substantive post.

No other relief has been claimed by the applicant in the O.A. except that he has prayed for his regularization. We have also purused the reply filed by the respondents but in view of the categorical statement by

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the respondent's counsel Shri R. Venkataramani has conveyed to him that he will not press this application so the application is disposed of has not pressed.

*P. T. Thiruvengadam*

(P.T. Thiruvengadam)

Member(A)

*J. P. Sharma*

(J.P.Sharma)

Member(J)

*\*Mittal\**