

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL NEW DELHI

OA-3111/92

DATE OF DECISION 6-10-93Sh. Jaibir Singh

Petitioner

MS Pritma Mittal, proxy counsel
for Sh. K.C. Mittal

Advocate for the Petitioner(s)

Versus

Respondent

U.O.I. & Ors

Advocate for the Respondent(s)

Mrs. Meera Chhibber

CORAM

The Hon'ble Mr. N.V. Krishnan, Vice Chairman (A)

The Hon'ble Mr. B.S. Hegde, Member (J)

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgement?
4. Whether it needs to be circulated to other Benches of the Tribunal?

Judgement (Oral)

(Delivered by Sh. N.V. Krishnan, V.C. (A))

Learned counsel for the respondents submits that in view of the decision of the Appellate Authority vide his order dated 2-8-93, a copy of which has been given to the learned counsel for the applicant, this OA has become infructuous.


2. OA was filed against the dismissal of the applicant under clause (b) of the second proviso to Article 311(2) of

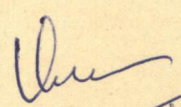
the Constitution of India on the grounds that it would not be practicable to hold an enquiry. Simultaneously, the applicant has filed an appeal before the Disciplinary Authority.

3. By the order dated 2.8.93, now produced before us, the appeal of the applicant has been allowed and the penalty order has been set aside and he has to be reinstated. Additional Deputy Commissioner of Police has been directed to order regular departmental proceedings against the applicant and decide the case on merits.

4. In view of this order, the learned counsel for the respondents submits that this OA does not subsist and has become infructuous.

5. We have heard the parties. We agree. We find that this OA has now become infructuous and accordingly it is dismissed.


(B.S. Hegde)
Member(J)


6/10/93
(N.V. Krishnan)
Vice Chairman(A)

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