

(4)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

O.A. NO. 222/93

DECIDED ON 13.4.1993

GHASI RAM

...

APPLICANT

VS.

UNION OF INDIA & ORS.

...

RESPONDENTS

CORAM :

THE HON'BLE MR. S. P. MUKHERJI, VICE CHAIRMAN (A)
THE HON'BLE MR. J. P. SHARMA, MEMBER (A)

Shri S. K. Dubey, Counsel for the Applicant
Shri Rajesh, Counsel for the Respondents

ORDER (ORAL)

Hon'ble Shri ~~S. P. Mukherji~~ ^{J. P. Sharma Member (A)} V.C. (A) :


On 21.1.1993, the applicant filed the present application while working as Head Clerk in Signals Workshop, Ghaziabad, praying for the grant of relief that the applicant be considered for promotion to the post of Assistant Superintendent in the grade of Rs.1600-2660 (RPS) and further, that the memorandum dated 30.7.1991 (Annexure-E) be quashed. A notice was issued to the respondents who have filed their reply and it is stated that the final order on the memorandum of show cause notice has already been passed on 31.12.1992 after considering the representation filed by the applicant, and as such, the present application becomes infructuous and is liable to be dismissed.


2. We have heard the learned counsel for the respondents on this preliminary objection and also

perused the punishment order issued under the signatures of the General Manager, Northern Railway, on 31.12.1992. We are not going to consider the argument advanced by the learned counsel for the applicant that there is some doubt about the genuineness of the date 31.12.1992 on which the order has been issued nor is it necessary in the circumstances of the present case. The learned counsel for the applicant, however, argued that he should be given time to amend the O.A. but we do not find that any amendment can serve the purpose to save this application which has already become infructuous. The applicant may not be aware at the time of filing this application 25 days after the punishment order was passed.

3. The learned counsel for the applicant also sought the relief that he should be considered for promotion but in view of the fact that the applicant has already stood punished vide order dated 31.12.1992, the relief cannot be granted.

4. In view of the above facts and circumstances, the present application has become infructuous and disposed of as such. The applicant may assail the order, if he so desires, passed on 31.12.1993, in accordance with law. No costs.


(J. P. Sharma)
Member (J)


(S. P. Mukherji)
Vice Chairman (A)