

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH
ALLAHABAD.

Allahabad this the 6th day of February 1997.

Original Application no. 776 of 1996.

Hon'ble Mr. S. Dayal, Administrative Member.

Mahabir Thakur, S/o Late Sri Keshav Thakur, J.W.M., E.M.
Section, Ordnance Factory, Kanpur. R/o House no. E-18
Sub-Station Road, Kanpur.

... Applicant.

C/A Sri M.A. Siddique.

Versus

1. The Union of India, Secretary, Ministry of Defence,
Department of Defence Production, New Delhi.
2. The Chairman, /DGOF., Ordnance Factories Board,
IOA, Auckland Road, Calcutta-1.
3. The General Manager, Ordnance Factory, Kanpur.

... Respondents.

C/R Sri N.B. Singh.

OR DER (Oral)

Hon'ble Mr. S. Dayal Member-A

Sri M.A. Siddique learned counsel for the
applicant and Sri S.K. Anwar proxy counsel to Sri N.B. Singh
learned counsel for the respondents.

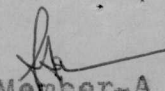
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2. The question which was raised last time was, whether the application survives after objections to interim relief are filed. Objection to interim relief have been filed by the respondents on 05.11.96. The annexures attached to this suppl. affidavit in the form of objection against the interim relief show that the applicant had requested that he may be allowed to forgo his promotion in case his request for cancellation for transfer was not considered (annexure CA 1). The Ordnance Factory Board passed order to cancel the promotion as well as transfer of the applicant. This has been done (annexure CA 3)

3. Learned counsel for the applicant requested that this OA be linked to another OA 866/96 in which the applicant has challenged reversion because the issue in this application is related to the issue raised in that one. Since the order of transfer has been cancelled. I do not see any reasons as to why this request of learned counsel for the applicant should be granted.

4. Learned counsel for the applicant seeks time to file RA to Suppl. Affidavit by way of objection against the interim relief filed by the respondents. Since the order of transfer which was bone of contention in the application has been cancelled, the application has become infructuous. Therefore, the application is dismissed as infructuous. There shall be no order as to costs.


Member-A