

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH , ALLAHABAD

ORIGINAL APPLICATION NO.1239 OF 1997

Allahabad, this the 27th day of July, 1999.

CORAM : Hon'ble Mr.S.Dayal, Member (A)
Hon'ble Mr.S.K.Agrawal, Member (J)

Abdul Gaphar,
S/o. Sri Naeemulla,
R/o. House No. M/94
Mohalla Mainatali,
Mugal Sarai,
District Chandauli

.....Applicant

(By Shri R.P.Singh, Advocate)

Versus

1. Union of India,
through the Secretary,
Ministry of Post and Telegraph,
New Delhi.
2. Senior Superintendent,
R.M.S. Allahabad.
3. Inspector, R.M.S. A-II,
Sub-Division, Varanasi.

.....Respondents

(By Shri N.B.Singh, Advocate)

O R D E R (Open Court)

(By Hon'ble Mr.S.Dayal, Member (A))

This original application was filed for considering the candidature of the applicant for the post of E.D.Mail Man, Mugalsarai, District Chandauli and to appoint if they were selected after consideration. A direction was also sought for confining the name of only such candidates who were recommended by District Employment Exchange for consideration and not to interfere in the working of the applicant as E.D.Mail Man in Mugalsarai.



2. The learned counsel for the applicant has filed M.A.No.2144/99 praying for a direction to the respondents not to disturb the applicant as E.D.Mail Man, Mugalsarai. The learned counsel for the applicant mentions now that the applicant had worked till the second week of April '99 and is no longer in the employ of the respondents. As such his application has become infructuous.

3. Another application has been filed by learned counsel for the applicant stating that he has not ~~been~~ received his salary from August, 1997 till the second week of April '99 when the service of the applicant was terminated. The salary has not been paid because of the pendency of the original application.

4. The respondents have filed their Supplementary C.A. alongwith Civil Misc.Application No.3623/98 in which they have stated that the respondents have taken a decision to cancel the entire process of selection. They have also mentioned in the same Supplementary C.A. that the applicant had refused to take the wages and, therefore, he was not paid and that he had submitted his application for payment and the department is taking steps for making the payment due to him.

5. In the light of the facts brought on record by Supplementary C.A. the original application filed by the applicant has become infructuous.

6. The respondents are directed to make the payment of wages due to him within a period of two months from the date of receipt of a copy of this order from the applicant.

7. There shall be no order as to costs.



Member (J)



Member (A)

/satya/