

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 732 of 1997

Allahabad this the 30th day of May, 2003

Hon'ble Mr. Justice R.R.K. Trivedi, V.C.
Hon'ble Mr. S.K. Agarwal, Member (A)

K. Jagadeesh, aged about 37 years, son of Shri K. Subbarao,
 Resident of NT-3/8, N.S.I. Colony, Kanpur.

By Advocates Shri N.K. Nair, Applicant
Shri M.K. Upadhyay

Versus

1. Union of India through the Secretary (Food), Ministry of Food, "Krishi Bhawan", New Delhi.
 2. The Director, National Sugar Institute, Kalyanpur, Kanpur.
- Respondents

By Advocate Shri Ashok Mohiley

ORDER (Oral)

By Hon'ble Mr. Justice R.R.K. Trivedi, V.C.

By this O.A. filed under Section 19 of the Administrative Tribunals Act, 1985, the applicant has prayed for a direction to the respondents to promote the applicant on the post of Junior Technical Officer (Sugar Technology) in the National Sugar Institute, Kanpur retrospectively with effect from the date of selection by the D.P.C. dated 05.08.1996 with all benefits arising therefrom.

2. The respondents have filed counter-affidavit.

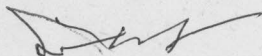
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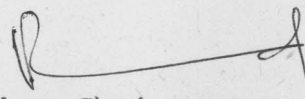
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In para-3 of which it has been stated that the applicant has already been promoted to the post of Junior Technical Officer(Sugar Technology) w.e.f. 30.07.1997. Thus, the applicant has been granted the promotion, for which this O.A. has been filed. Shri Ashok Mohiley, counsel for the respondents has submitted that the O.A. has been rendered infructuous. In reply to para-4.11 of the O.A., the respondents have mentioned in para-16 of the C.A. that the delay in passing the promotion order was on account of a legal notice served by Shri R.K. Nigam, Advocate on 14.08.96. After clearance from the Ministry of Food, the order of promotion was passed in favour of the applicant. In the circumstances, no order is required on this O.A. The O.A. is dismissed as having become infructuous. No order as to costs.

However applicant may file representation for correction if it has been affected by delay.



Member (A)



Vice Chairman

/M.M./