

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION NO. 278 OF 1998
TUESDAY, THIS THE 22ND DAY OF OCTOBER, 2002

HON'BLE MR. SARVESWAR JHA, MEMBER-A
HON'BLE MRS. MEERA CHHIBBER, MEMBER-J

Lala Ram,
aged about 57 years,
S/o Shri Bharose, R/o 129,
Nalganj, Sipri Bazar,
Jhansi.

..... Applicant

(By Advocate Shri R. Verma)
Versus

1. Union of India
through the General Manager,
Central Railway,
Chhatrapati Shivaji Terminus,
Mumbai.
2. The Divisional Railway Manager (P)
Central Railway,
Jhansi.
3. Shri J.P. Verma,
S/o Not Known,
aged about 4½ years,
at present working as
Skilled Fitter Grade I
and is posted at A.C. Loco Shed,
Jhansi under the control of the
Senior Divisional Electrical Engineer (TRS),
A.C. Loco Shed, Jhansi. Respondents

(By Advocate Shri G.P. Agrawal)

O R D E R

HON'BLE MR. SARVESWAR JHA, MEMBER-A

The applicant has approached this Tribunal
through this O.A. for directions being given to the
respondents for quashing their letter dated 23.2.1998
inviting respondent no.3 to appear in the selection held
on 04.03.1998 for promotion to the post of Master Craftsman
(Mechanical) (Annexure A-1). The other prayers which he
has been made in paragraph 8 of the O.A. ^{are} ~~corollary~~ to the
said prayer. The applicant has in the meantime superannuated
from service on 31.05.2001. The learned counsel for the
applicant, when asked as to whether the prayers which
the applicant has sought have not become infructuous as

of his
a result ~~be even~~ having superannuated from service, had no specific prayer to make at this stage. He did invite ~~us~~ our attention to the representation of the applicant placed at Annexure A-3 to the O.A. (Page 33~~Y~~ thereof) wherein *grievance to* ~~any question~~ have been raised by the applicant regarding junior hands having been called for screening test held on 23.02.1998 and a submission has been made that this would block the promotion of senior persons like the applicant.

2. Learned counsel for the applicant was also asked whether any person junior to the applicant has been given the benefit of promotion without ^{him} being allowed to face the screening test, he had no knowledge of any such case. The purpose of asking this question to the learned counsel for the applicant was to explore the possibility of whether the applicant could be given the benefit of promotion without being made to face the screening test after superannuation. In view of the ^{and} ~~reply~~, the submission of ^{The} learned counsel for the applicant in this regard, is that no such case has been ~~there~~ to his knowledge, ^{Therefore} the question of considering any such benefit being given to the applicant at this stage does not ~~arise~~.

3. After considering the submissions of the learned counsel for the applicant and after hearing ^{The} standing counsel appearing on behalf of the respondents, it appears that ^{after} the superannuation of the applicant, there is no room or no base for proceeding in the matter any further. The prayer~~s~~ hinges in the selection and the attending ^{ant} questions relating to the selection to be held on 23.02.1998 and the same has ^{ceased} ~~seized~~ to be relevant with the superannuation of the applicant.

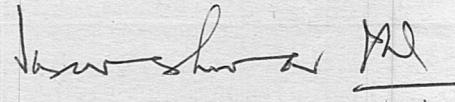
Ansawhur *The*

Therefore,

4. We are, of the considered view that the prayers made therein have become infructuous and, therefore, the O.A is fit to be dismissed as infructuous. With this the O.A stands disposed of as infructuous with no order as to costs.



Member-J



Member-A

/ Neelam/