

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD

Original Application No. 923 of 1998

Allahabad, this the 30-th day of July 2003

Hon'ble Maj Gen K.K. Srivastava, Member A  
Hon'ble Mrs. Meera Chhibber, Member J

S.N.Pankaj S/o Shri Late Ramanad Pd. Srivastava,  
Banglow No. 128 Dairy Railway Colony,  
N.E.Railway, Gorakhpur.

....Applicant.

( By Advocate : Shri S.K.Tyagi )

Versus

1. Union Of India, through General manager,  
N.E.Railway, Gorakhpur.
2. Cheif Personal Officer, N.E.Railway,  
Gorakhpur.
3. General Manager, N.E. Railway Gorakhpur.
4. Chairman Railway Board, Ministry of Railways,  
Rail Bhawan, New Delhi.

.....Respondents.

( By Advocate : Shri A Sthalekar )

ORDER (ORAL)

BY HON'BLE MRS. MEERA CHHIBBER?MEMBER J

By this O.A. applicant has sought the following relief(s):

"(i) Issue order or direction directing the respondent to post the applicant as Law Officer ( senior scale on the post of senior scale Law Officer which

*B*

has been transferred to N E Railway from East Central Railway w.e.f. the date the applicant has become entitled for grant of senior scale on completion of three years service on group B post i.e. w.e.f. 18.10.1996 together with arrears calculating the salary of the applicant in senior scale grade.

- (ii) Issue order or direction quashing the order dated 11.8.1998(Annexure no. XVII)
- (iii) In alternative, issue order or direction directing the respondents to treat and consider the applicant as group B Officer in personal Department since the date of his first posting as APO on 18.10.1993 on promotion to group B post.
- (iv) Issue order or direction restraining the respondents from repatriating the applicant to commercial department as A.C.M. as per order dated 11.8.1998 (annexure no. XVII).
- (v) Issue order or direction directing the respondents to grant promotion to the applicant in senior scale i.e. on the post of DPO/SPO from the date the persons selected for the post of APO vide panel dated 30.3.1994/6.10.1994 have been granted senior scale in personal branch with seniority and arrears calculating the salary of the applicant in senior scale from the date the applicant is entitled to promotion in senior scale.
- (vi) Issue order or direction quashing the orders dated 19.1.1998 passed by respondent no. 3 and 6.5.1998 passed by respondent no. 4 and communicated by CPO(annexure nos. XII & XV).
- (vii) Grant such other and further relief as this Tribunal may deem fit and proper. "

2. Respondents counsel, however, informed the court that applicant has since expired on 16.3.2002. They have annexed the death certificate along with their application which has been produced by the respondents' counsel and taken on record. There is no application for substitution ~~followed~~ <sup>of legal heirs</sup> though by the applicant's counsel even 3 months period has already expired. Accordingly this O.A. <sup>has</sup> abated. The same is accordingly dismissed with no order as to costs.



Member J



Member A

Brijesh/-