

O.A. No. 429/04

29.11.04

Hon. Mrs. Meera Chhibber, J.M.
Hon. Mrs. Roli Srivastava, A.M.

Sri S. K. Mishra, learned Counsel for applicant and Sri K. I. Singh, learned counsel for Respondents.

Counsel for respondents submitted that this case has already become infructuous as by this O.A. applicant has sought quashing and setting aside of written examination held for the post of A.C.M. group 'B' and giving direction to hold fresh examination in accordance with rules and instructions. Respondents have stated that the written examination was subsequently cancelled by the department itself vide letter dt. 9.7.04 (Annexure-3) whereby office letter dt. 25.6.04 was cancelled from the stage of conducting the written test. Thereafter a fresh examination was held on 1.7.04 and 1.8.04 and applicant also appeared in the fresh examination.

This O.A. was filed as back as on 21.9.04 but till date applicant has not controverted these facts by filing any R.A. Therefore, in view of the statement made by the Respondents in the O.A., this O.A. has become infructuous. The same is accordingly dismissed as infructuous.

OK

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A.M.

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J.M.