

(120)

OPEN COURT

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD**

Original Application No.1480 of 2005.

Allahabad, this the 6th day of February, 2007.

Hon'ble Mr. Justice Khem Karan, Vice Chairman
Hon'ble Mr. P.K. Chatterji, Member (A)

Anil Kumar Paswan,
Aged about 43 years,
Jai Kishan Ram, Head Commercial Clerk
Presently posted at Azamgarh.

...Applicant.

(By Advocate :Shri B.K. Narain
Shri R. Kumar

Versus

1. Union of India, through the General Manager,
North Eastern Railway, Gorakhpur.
2. Divisional Railway Manager, North Eastern
Railway, Varanasi.
3. Divisional Commercial Manager, North Eastern
Railway, Varanasi.
4. Senior Divisional Commercial Manager, North
Eastern Railway, Varanasi.

....Respondents.

(By Advocate :Shri Anil Kumar)

O R D E R

By Hon'ble Mr. Justice Khem Karan, V.C. :

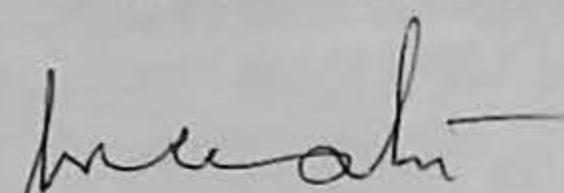
The respondents have moved one application for dismissing this OA as infructuous. It is stated in the affidavit filed in support of this application that order dated 28.8.2004, against which this OA has been filed, has been cancelled, so the OA has become infructuous. Learned counsel for the applicant has stated that earlier the applicant was punished by order dated 28.8.2002 and thereafter charge memo dated



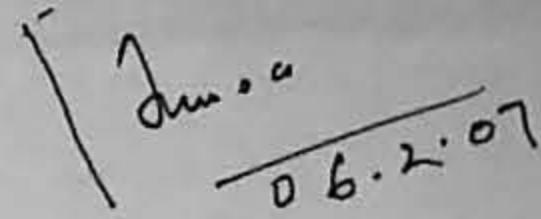
(13)

28.8.2004 was issued almost on the same facts and therefore, the applicant filed this OA.

2. We think when the memo dated 28.8.2004 has already been cancelled by the department, there is no point in keeping this OA alive. So the OA is dismissed as infructuous.



Member-A


06.2.07

Vice-Chairman

RKM/