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Court No. 1.

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD.

Registration (T.A.) No. 1842 of 1987
(arising out of Writ Petition No. 7509 of 1985)

Ambika Saran Srivastava Petitioner.

Versus

Union of India & another Respondents.

Hon'ble Justice K. Nath, V.C.
Hon'ble K. Obayya, A.M.

(By Hon. Justice K. Nath, V.C.)

The above mentioned writ petition is before this Tribunal under Section 29 of the Administrative Tribunals Act, 1985. However, it is not necessary to go into any details of this case because another case for the same relief was filed before this Tribunal, which was registered as O.A. No. 440 of 1986, and was decided by judgment dated 17.8.1987. It is for this reason that the petitioner has filed the application dated 19.4.1990 for treating the case as closed.

2. A perusal of the record of the writ petition shows that it was filed before the Hon'ble High Court on 28.5.1985, but before any substantial progress could be made the Administrative Tribunals Act, 1985 was enforced with effect from 1.11.1985. The petitioner then, filed a Misc. Application before the Hon'ble High Court on 23.10.1986 stating that with the enforcement of the Administrative Tribunals Act, 1985 the Hon'ble High Court ceased to have any jurisdiction and it was prayed that the petition may be disposed of as infructuous.

3. Instead of passing any orders, and rightly so if we may say with respect, the record of the case was transferred to this Tribunal under Section 29 of the Act. It was in this situation that the petitioner chose to file an independent application under Section

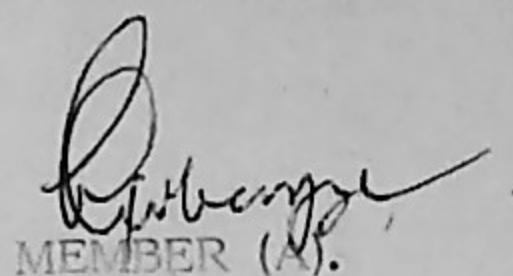
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19 of the Administrative Tribunals Act, 1985, which came to be registered as O.A. No.440 of 1986.

4. We have noticed that the relief claimed in both the cases are the same, viz. the quashing of the applicant's suspension by order dated 29.6.1962. In either case there is also a prayer for consequential relief. The result, therefore, is that the ~~old~~ matter of the controversy in both the cases stands decided in O.A. No.440 of 1986. This writ petition, therefore, is disposed of as infructuous.



MEMBER (A).



VICE-CHAIRMAN.

Dated: May 10, 1990.

PG.