

577
40

AB
11

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH

ALLAHABAD.

Allahabad this the 11th day of December 1995.

Original Application no. 695 of 1988.

Hon'ble Dr. R.K. Saxena, Judicial Member
Hon'ble Mr. S. Dayal, Administrative Member.

Vinod Kumar, S/o Shri Manohar Lal, R/o 188, Prem Ganj, Sipri Bazar Jhansi, U.P. working in Control Office, D.R.M's Office Jhansi.

... Applicant.

C/A Shri H.P. Chakorvorty.

Versus

Union of India through the Divisional Railway Manager, Central Railway Jhansi.

... Respondent.

C/R Shri P. Mathur.

O R D E R

Hon'ble Dr. R.K. Saxena, Judicial Member.

Shri A.K. Dava proxy counsel for Shri H.P. Chakorvorty, counsel for the applicant and Shri P. Mathur counsel for the respondents are present.

2. The applicant Shri V. Kumar had filed this O.A. in the year 1988 challenging the order of oral removal ^{service on} from 10.09.87, and has sought quashment of the same. The applicant had contended that he was engaged initially as casual labour and had been discharging duties with full satisfaction of the authorities. He had completed 120 days and thereby he had acquired status of temporary employee. He has been terminated by oral order and was not allowed to resume duties since 10.09.87. The representation was made out but nothing was done.

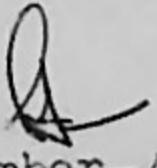
.....2/-

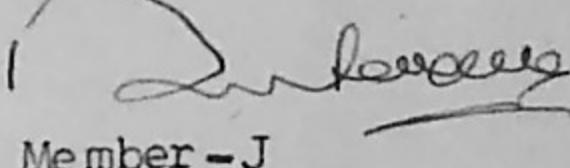
// 2 //

(12)

3. The respondents had filed CA through Dr. P.L. Banka resisting the relief claimed by the applicant. It is admitted that the applicant was given status of Monthly Rated Casual Labour (in short M.R.C.L). It was further contended that the applicant was engaged as substitute and when there was no vacancy, he was removed.

4. This case is fixed for final hearing today. Misc Appl. no. 3007/95 has been moved on behalf of the applicant praying that the relief which was claimed has already been granted and thus the O.A. has become infructuous and being disposed of as infructuous. Proxy counsel for the applicant also does not want to press the O.A. In these circumstances, the OA is disposed of as because having infructuous. No order as to costs.


Member-A


Member-J

/pc/