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(S)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

Registration O.A.No. 1203 of 1988

S.S. Prajapati ....

Applicant

vs.

Union of India & Others....

Respondents

Hon'ble Mr. Justice U.C. Srivastava, V.C.

Hon'ble Mr. A.B. Gorthi, Member (A)

(By Hon. Mr. Justice U.C. Srivastava, V.C.)

The applicant was a Sub-Postmaster in the scale of Rs. 425-640/- and after departmental inquiry he was reduced to lower post of Postman grade Rs. 210-270 (pre-revised), although in between the post of a L.S.G. clerk and a postman there are four different cadres which are U.D.C., Postal Assistant, L.D.C. and Overseer Postman. The applicant was served a Memo of charges on 13.11.86, and he submitted his defense to it. As a result of inquiry the above mentioned punishment was awarded. The applicant filed an appeal against the same, but after waiting for much more than 6 months no reply was given to the applicant who filed this application. In the meantime the applicant's appeal has been allowed by the Appellate Authority on the ground that the officer who awarded the penalty was not competent to impose major penalty, and the penalty is thus set aside. In view of the fact that the applicant has got the desired relief from the Appellate Authority this application has become infructuous. Learned counsel for the applicant contended that the cost may be awarded to the applicant. In view of the fact that the appeal of the applicant has already been allowed and in case departmental authority takes any fresh action then it will be open for the applicant

to urge for the cost of this proceedings also.  
With the above observation the application is  
dismissed having become infructuous.

*Amarsijs*  
Member (A)

*Lee*  
Vice-Chairman.

19th February, 1992, Alld.

(sph)