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Open Court.

Central Administratige Tribunal  
Allahabad Bench, Allahabad.

Dated: Allahabad, This The 25th Day of August, 2000.

Coram: Hon'ble Mr. Rafiq Uddin, J.M.

Original Application No.736 of 2000.

Sri Prem Chandra  
son of late Sri Awadhesh Chandra,  
General Manager,  
Government Opium & Alkaloid Works  
Ghazipur.

... Applicant.

Counsel for the applicant: Sri Saumitra Singh, Adv.

Versus

1. Union of India through Secretary Ministry of Finance Deptt. of Revenue North Block, New Delhi.
2. Chairman, Central Board of Excise and Customs North Block New Delhi 110002.
3. Under Secretary to the Govt. of India Ministry of Finance Deptt. of Revenue New Delhi.
4. Chief Controller, Govt. Opium & Alcaloid Factories, Gwallior/New Delhi.
5. Arun Tandon, Presently posted as Addl. Commissioner, Central Excise Hyderabad.

Counsel for the Respondents: Sri R.C. Joshi, Adv. <sup>Opp. Parties.</sup>

Order (Open Court)

(By Hon'ble Mr. Rafiq Uddin, Judl.Member)

Heard the learned counsel for the applicant. As per averments made in the affidavit filed on behalf of the respondents subsequent to the filing of the present O.A. the respondents have transferred private respondent No.5 Arun Tandon vide order dated 19.7.2000. Copy of which has been annexed

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as Annexure -1 to the O.A. As such the grievance of the applicant has come to an end and the O.A. has become infructuous.

2. The learned counsel for the applicant concedes that after transfer of respondent No.5 the O.A. has become infructuous but he presses for payment of costs to the applicant.

3. In view of the above the O.A. is dismissed as having become infructuous but the applicant is entitled for costs of the O.A. which is assessed to the tune of Rs.500/-. The costs shall be paid to the applicant within three months from the date of communication of this order.

*Ram Juddha*  
Member (J.)