

Open Court.

Central Administrative Tribunal,
Allahabad Bench, Allahabad.

Allahabad, this the day of 12th of September 2002.

Original Application.No. 748 of 2002.

Hon'ble Mr. Justice R.R.K. Trivedi, V.C.

Hon'ble Mr. S. Dayal, A.M.

Baljeet Singh S/o Late Sri Tek Chandra, Resident of Village Nidampur, Post Office Sikanderabad District Bulandshahr, presently posted as Assistant Security Officer, Noida, District Ghaziabad.Applicant.

By Advocate: Sri A.M. Tripathi.

Versus.

1. Union of India through Secretary, Ministry of Commerce, Udyog Bhawan, New Delhi.
2. Development Commissioner, Noida Export Processing Zone, Noida, Ghaziabad U.P.
3. Deputy Development Commissioner, Noida Export Processing Zone Noida Ghaziabad, U.P.
4. Administrative Officer, Noida Export Processing Zone, Noida, Ghaziabad U.P.
5. Security Officer, Noida Export Processing Zone, Noida, Ghaziabad, U.P.

.....Respondents.

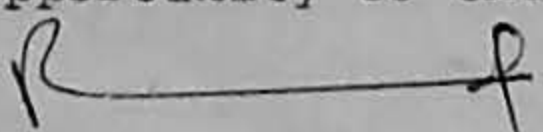
By Advocate: Sri S. Chaturvedi.

O_R_D_E_R (Oral)

(By Hon'ble Mr. Justice R.R.K. Trivedi, V.C.)


By this original application, applicant has challenged the order dated 11.06.2002 by which he was reverted from the post of Assistant Security Officer to Head Security Guard. The grievance of the applicant was that he was not given an opportunity to file reply to the notice dated 23.03.1995.

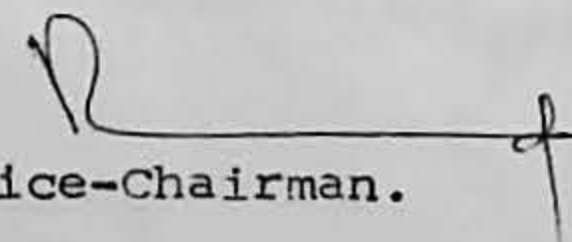
2. A short counter affidavit has been filed by the respondents alongwith application, stating that the order dated 11.06.2002 has been withdrawn by order dated 04.07.2002 and the applicant has been required to submit reply to the show cause notice dated 23.03.1995. It is proposed that the order will be passed after giving opportunity to the applicant.



3. A short Rejoinder Affidavit has been filed by the applicant. The position stated above is not denied. However, the applicant has asserted that the notice dated 23.03.1995 may be set aside by this Tribunal. We do not think that the notice is under challenged before us, ⁱⁿ this original application. ⁱⁿ any case, applicant may challenge notice on all legal and factual basis ^{available to him} in his reply. It is also submitted that the applicant has not yet submitted reply. If reply has not been submitted he shall be given 2 weeks time to file reply from the date of production of this order. As the impugned order dated 11.6.2002 has been withdrawn, ^{The O.A. has been rendered infructuous.}

4. Subject to aforesaid, the original application is dismissed as infructuous.


Member (A)


Vice-Chairman.

Manish/-