

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD

Original Application No. 1474 of 2003 (U)

Dated: This the 02nd day of January, 2004

HON'BLE MR. JUSTICE S.R.SINGH, VICE-CHAIRMAN  
HON'BLE MR. D.R. TINARI, MEMBER (A)

Abdul Wahid S/o Mohd. Abdullah.  
R/o O.F.D. Estate Raipur,  
District Dehradun.

... . . . Applicant.

By Advocate : Ms. Sufia Saba

Versus

1. Union of India through Secretary  
Ministry of Defence, South Block,  
New Delhi.
2. Managing Director and Chairman,  
Ordnance Factory Board, 10-A  
Shaheed Khudi Ram Bess Marg,  
Kolkata.
3. Maha Prabandhak,  
Ordnance Factory, Dehradun,  
Uttaranchal.

... . . . Respondents.

By Advocate : Mr. R.C.Joshi

O R D E R

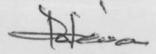
By Hon'ble Mr. Justice S.R.Singh, V.C.

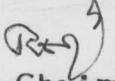
The O.A. was instituted against the order dated 30.6.2003 whereby the applicant was placed under deemed suspension w.e.f. the after noon of 04.04.2003. The applicant, it appears, was involved in criminal case (S.T.No. 485/95 under section 147/148/323/307/504/506 IPC) wherein he was convicted and sentenced to under rigorous imprisonment of 07 years vide order dated 04.04.2003 passed by the Additional Session Judge, Kanpur Nagar in S.T.No. 485/95. The applicant has preferred appeal against the judgment and order of conviction and sentence passed by learned Additional Session

*(Signature)*

Judge. The Hon'ble High Court has directed to release the applicant on bail vide order dated 09.04.2003 and realisation of fine has been stayed during the pendency of the criminal appeal. The learned counsel for the applicant, however, submits that the applicant has since been compulsorily retired from service vide order dated 12.12.2003. In the circumstances, therefore, the O.A., which is directed against the order of deemed suspension, has been rendered infructuous and is dismissed without the prejudice to the right of the applicant to pursue his remedy as against the order of compulsory retirement.

2. There will be no order as to costs.

  
Member A

  
Vice-Chairman

Brijesh/-