

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad this the 14th day of November, 2003.

Original Application No. 781 of 2003.

Hon'ble Maj. Gen. K.K. Srivastava, Member- A.
Hon'ble Mr. A.K. Bhatnagar, Member- J.

Yashpal Singh S/o Sri S.D. Singh
a/a 42 years. R/o Military Farm, Allahabad.
.....Applicant

Counsel for the applicant :- Sri K.P. Singh

V E R S U S

1. Union of India through the Secretary,
M/o Defence, New Delhi.
2. Deputy Director General, Military Farm,
QMG's Branch, Army Headquarter, West Block No. 3,
R.K. Puram, New Delhi.
3. Director, Military Farm,
Headquarter Central Command, Lucknow.
4. Officer-In-Charge, Military Farm, Allahabad.

.....Respondents

Counsel for the respondents :- Sri G.R. Gupta

O R D E R

By Hon'ble Maj. Gen. K.K. Srivastava, Member- A.

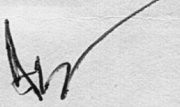
In this O.A filed under section 19 of Administrative Tribunals Act, 1985, the applicant has challenged the order dated 16.06.2003 declaring the applicant as surplus and calling for his option for choice station.

2. The respondents have filed an affidavit alongwith M.A No. 3791 of 2003. The same has been taken on record. In para 4 of the affidavit the Officer-in-Charge, Military Farm, Allahabad has categorically averred that the order dated 16.06.2003 has been cancelled by the respondent No. 3 i.e. Director, Military Farms Headquarters, Central Command, Lucknow.

3. The learned counsel for the applicant submitted that neither any reference in the order has been given nor copy of the order has ^{my} ~~been~~ ^{been} attached alongwith affidavit. Since the respondents have made statement on oath, we are inclined to accept the statement of the respondent No. 4.

4. In view of the above, nothing remains to be decided in the O.A. The O.A is rendered infructuous and accordingly dismissed. However, respondent Nos. 3 and 4 are directed to make available the copy of the order issued by the respondent No.3 to the applicant cancelling the order dated 16.06.2003 within two weeks from the date of communication of this order.

5. There shall be no order as to costs.


Member- J.


Member- A.

/Anand/