

(60)

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

Original Application No.299 of 2006

Allahabad, this the 12th day of February, 2007.

Hon'ble Mr. Justice Khem Karan, Vice-Chairman
Hon'ble Mr. K.S. Menon, Member (A)

Bharat Bhushan AE (Civil)
Office of the Garrison Engineer (West)
Bareilly Cantt (U.P.)

...Applicant.
(By Advocate : Shri A. Srivastava)

Versus

Union of India & Ors through :

1. The Secretary, Ministry of Defence, South Block, New Delhi.
2. The Engineer-in-Chief, MES, Army HQ, Kashmir House, DHQ, New Delhi.
3. Shir Surender Kumar Singh, (MES No.433071) (Placed at Sl. No.537 in AISL of JE (Civ) 2004-05 and placed at Sl. No.265 in eligibility list for proforma DPC through the Engineer-in-Chief, MES, Army HQ, Kashmir House, DHQ, New Delhi.
4. Sh Jolly AX, (MES-187620) (Placed at Sl. No.614 in AISL of JE (Civ) 2004-05 and placed at Sl. No.293 in eligibility list for proforma DPC through the Engineer-in-Chief, MES, Army HQ, Kashmir House, DHQ, New Delhi.
5. Ashok Kumar ((MES No.468209) (Placed at Sl. No.224 in eligibility list for proforma DPC through the Engineer-in-Chief, MES, Army HQ, Kashmir House, DHQ, New Delhi. Resident of 240/3 Westerned Road, Meerut Cantt.
6. Kifayatullah Khan (MES No.471271) (Placed at Sl. No.234 in eligibility list for proforma DPC through the Engineer-in-Chief, MES, Army HQ, Kashmir House, DHQ, New Delhi. Resident of 13/2 Wheelar Barrack Kanpur Cantt.

...Respondents

(By Advocate : Shri Amrendra Kumar Srivastava)
Shri N.P. Singh
Shri S. Singh)

✓

(21)

O R D E R

By Hon'ble Mr. Justice Khem Karan, V.C. :

Counsel for the applicant moved one application for disposing of this OA in terms of respondents' order dated 21.12.2006, annexed to the application.

Learned counsel for the applicant states that whatever the applicant was claiming through this OA has already been given to him by the department, vide order dated 21.12.2006 and seniority has already been re-settled accordingly. Learned counsel for the respondents have stated that in view of this order dated 21.12.2006, the OA deserves to be dismissed as infructuous.

After considering the respective submissions, we are of the view that when the reliefs have already been granted to the applicant vide order dated 21.12.2006 of the respondents, the OA itself has become meaningless and it deserves to be dismissed as infructuous. The question for directing the respondents to act according to order dated 21.12.2006 should not arise as the same has already been given.

So this OA is dismissed as infructuous and interim order dated 20.9.2006 is vacated.

RKM
RKM/2007

Member (A)

12.2.07

Vice-Chairman

RKM/