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OA No. 523/06

22.8.2006

Hon'ble Mr. A.K. Bhatnagar, J.M.
Hon'ble Mr. A.K. Singh, A.M.

Shri S. Narain, learned counsel for the applicant and Shri N.P. Singh, learned counsel for the respondents.

By this OA the applicant has challenged the order of suspension dated 10.3.2006 passed by Assistant Commissioner Personnel under Sub Rule 1 of Rule 10 of the CCS (CCA), 1965 putting the applicant under suspension with immediate effect.

Learned counsel for the respondents at this stage submitted that the order of suspension above mentioned has already been revoked by order dated 20.7.2006 issued by the Principal/ ad-hoc Disciplinary Authority. Moreover, the applicant has already joined JNV Mirzapur as shown by letter dated 26.7.2006. Counsel has filed these documents alongwith supplementary counter affidavit stating the facts in paragraph 4 of the supplementary counter affidavit. Counsel for the applicant also fairly concedes to this fact but prays for some action against the department for giving un-necessary harassment to the applicant. Learned counsel for the respondents further submitted that as the suspension order has already ~~been~~ ^{been} revoked, therefore, this OA has become infructuous. Under the facts and circumstances and in the interest of justice we find that the OA has become infructuous. Accordingly, the same is dismissed as having become infructuous.

A.M.

J.M.

RKM