

OPEN COURT

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH : ALLAHABAD**

Original Application No.852 of 2006.

Allahabad, this the 8<sup>th</sup> day of January, 2008.

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

MES No.421455 K.C. Joshi  
Son of Sri Hari Dutt Joshi,  
Presently working as UDC  
At Garrison Engineer, Fatehgarh Cantt.  
District Farrukhabad  
Resident of T-10/6, Site No.3,  
Fatehgarh Cantt,  
District Farrukhabad.

...Applicant.

(By Advocate : Shri Subhas Ghosh  
Shri A.D. Singh

**Versus**

1. Union of India, through Secretary, Ministry of Defence, Department of M.E.S.O., New Delhi.
2. Engineer in Chief, Military Engineer Service, Directorate General (Pers.), Army Headquarter, Kashmir House, D.H. Q. Post Office, New Delhi-110011.
3. Chief Engineer, Headquarter, Central Command, Lucknow-226 002.


...Respondents.

(By Advocate : Shri S. Singh)

**ORDER**

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

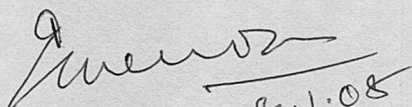
Shri S. Ghosh has stated that during the pendency of this OA, the respondents have issued fresh All India Seniority List of UDCs promoted upto December 2006 on 27.7.2007, so the applicant is satisfied regarding his position in the seniority list and the OA may be disposed of accordingly. We find that Shri S. Singh has also been given

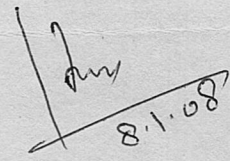




application for dismissing the OA as infructuous saying that the position of the applicant has been restored and there should be no grievance now. Learned counsel for the applicant states this OA may be finally disposed of with direction to the authority concerned to consider further promotion in accordance with the fresh list of seniority list dated 27.7.2007. We think when the respondents have themselves issued a seniority list, then they have to ~~act according to do~~ <sup>make</sup> for making further promotion to the next post, according to the new seniority list dated 27.7.07

2. Now, there is no point in keeping this OA pending here. So, it is accordingly disposed of with direction to the respondents to make further promotion on the basis of fresh seniority list dated 27.7.2007. The OA stands disposed of accordingly. No costs.

  
Member-A 8.1.08

  
Vice-Chairman 8.1.08

RKM/