

OPEN COURT

**CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH
ALLAHABAD**

ALLAHABAD THIS THE 26TH DAY OF AUGUST 2010

Present:

**HON'BLE MR. JUSTICE S. C. SHARMA, MEMBER-J
HON'BLE MR. S.N. SHUKLA, MEMBER-A**

ORIGINAL APPLICATION NO. 560 OF 2007

U/s 19 of the Administrative Tribunal Act 1985

Pradeep Kumar Pandey S/o Sri Parashuram Pandey,
R/o Mohalla Takiya Kawaldah P. O. Gorakhnath Mandir,
P. S. Tiwaripur District Gorakhpur,
at present posted as Junior Engineer
Sub Division II, Irrigation Division-2, Deoria.

..... Applicant

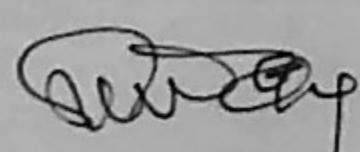
VERSUS

1. Union of India, through Secretary Bara wing, 4th Floor sera Bhawan, New Delhi-110011.
2. Director General Border Road, Seema Sadak Bhawan, Ring Road, Delhi C-11, New Delhi-110010.
3. Chief Engineer, Project Dantak c/o 99 APO (GREF).
4. Commander Hq. 758BRTF, C/o 99 APO (GREF) Pin-930758.
5. Officer Commanding, 87 Ree (GREF), C/o 99 APO Pin-930087.

..... Respondents

Present for the Applicant: Sri R. P. Singh

Present for the Respondents: Sri R. K. Srivastava

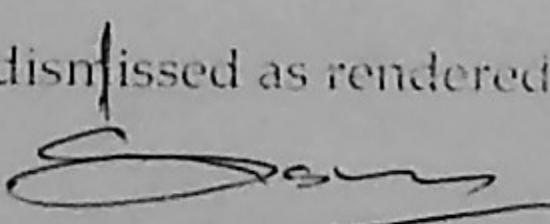


ORDERDELIVERED BY HON'BLE MR. JUSTICE S. C. SHARMA, MEMBER-J

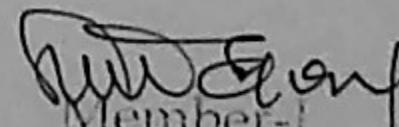
Instant OA has been instituted with a prayer in order to quash the order dated 09.02.2007 passed by the respondents on the representation of the applicant (Annexure A-1). Further prayer has also made for giving direction to the respondents to accept the resignation of the applicant from service in the department.

2. We have heard Shri R.P. Singh, Advocate for the applicant and Shri R.K. Srivastava, Advocate for the respondents. Shri R.K. Srivastava, Advocate filed an affidavit regarding latest developments of the circumstances of the case and he stated that the prayer was made in the OA for giving a direction to the respondents to accept the *subsequent to* resignation of the applicant. But ~~specifically~~ ^{subsequent to} the resignation of the applicant was accepted and he has been relieved from service accordingly. Under these circumstances the OA has rendered infructuous and the same is liable to be dismissed. Learned counsel for the applicant Shri R.P. Singh has not disputed this factual position rather he also concedes that the OA has rendered infructuous in view of the changed circumstances. Hence the OA is liable to be dismissed as rendered infructuous.

3. OA is dismissed as rendered infructuous. No order as to costs.


Member-A

/ns/


Member-J