

Serial No. of Order	Date of Order	Order with Signature	Office note as to action (if any) taken on order
		O. A. No.139/1992.	

7/1/98. In this 1992 matter pleadings have been completed on 21st May, 1992, but thereafter the matter had not come up. On the last two occasions, learned Counsel for the Petitioners ^{W.M.} ~~was~~ ^{from} absent and in view of this, on 4-12-1997, the matter was fixed for peremptory hearing to today. Today, the learned Counsel for the petitioners is also absent. Learned Senior Counsel Shri Avinil Kumar Mishra, appearing on behalf of the Respondents is present. He has submitted that the application has become infructuous.

We have heard the learned Senior Counsel appearing on behalf of the Respondents and perused the records. We feel that the application must fail for the following reasons;

1) This application has been filed by the three Unions, viz. National Federation of Postal Employees represented through its Circle Secretary, Federation of National Postal Organisation represented through its Circle Secretary and Bharatiya Postal Employees Federation represented through its Divisional Secretary;

*Somnath Jm
7.1.98*

Under clause- (b) of sub-rule (5) of Rule 4 of C. A. T. (Procedure) Rules, 1987, permission can be given to several applicants to jointly pursue a cause of action. But the above clause lays down that such permission may also be granted to an Association representing the persons desirous of joining in an Original Application, provided

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Observed as follows:-

"We do agree that public interest does require that the administration has to be maintained smoothly and efficiently. But that does not mean that it is open to this Tribunal constituted for a specific purpose under the Act to entertain any complaint from any citizen as a Public Interest Litigation".

3. It has been submitted by the learned Senior Counsel Mr. Mishra, appearing on behalf of the Respondents that after reconsideration of the entire matter the Respondents have gone back to the earlier system of working of the R.M.S. In this connection, learned Senior Counsel has referred to two orders dated 25-1-1992 and 8-10-1992 in which revised guidelines have been issued. In view of this, it is submitted by the learned Senior Counsel that the Application has become infructuous.

In consideration of the above, we hold that the application is not maintainable and is also without any merit and therefore, the same is rejected but under the circumstances no order as to costs.

Somnath Som
VICE-CHAIRMAN
7/1/98
R. S. S.
7/1/98
MEMBER(JUDICIAL) 7/1/98