

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

Order dated 24.7.2003

None appeared for the applicant when called. This being an year-old case of 1998, it would not be proper to adjourn this case any further. However, with the aid and assistance of Shri J.K. ^{Nayak} Mishra, learned Adl. Standing Counsel we have perused the materials available on record.

In this Original Application under Section 19 of the A.T. Act, 1985, the applicant has prayed for direction to Respondents to promote him to the post of D.F.O. (M.T.) w.e.f. the date Res. 4 was so promoted.

It has been disclosed by the Respondents-Department in their counter that subsequent to the promotion granted to Res. 4 against a reserved quota, the applicant was offered promotion vide Memo dated 12.3.1998, but he did not accept the offer. Instead he submitted a representation dated 21.3.1998 to be retained at A.R.C., Charbatia. ~~The Respondent~~ The Respondents-Department, after considering the same rejected his representation vide their Memo dated 24.4.1998.

In view of the facts as brought out in the counter by the Respondents (which has not been rebutted by the applicant through any rejoinder) we see no merit in this O.A. In fact this O.A. has become infructuous as the applicant has been granted promotion, but he refused the same. In the circumstances, this O.A. is dismissed being devoid of any merit. No costs.

VICE-CHAIRMAN

MEMBER (JUDICIAL)

Free copies of final order dt. 24.7.03 issued to counsel for both sides.

[Signature]
S.O. (M.A.)

24/7/03