

Order No.5 Dated 23.03.99

Further four weeks time after expiry of last chance is allowed to file counter posted to 23.04.99. No further time will be allowed.

Vice Chairman
23.3.99

Member (J).

23.4.99

At the instance of learned Addl. Standing Counsel Shri J.K. Nayak and with the consent of Shri K.C. Kanungo, learned counsel for the petitioner the matter is taken up for final disposal.

In this application the applicant has prayed for a direction for a declaration that the order of suspension dated 18.4.1994 vide Annexure-4 has become inoperative and also for a direction to Res.2 to pay all differential pay and allowances and increment with other consequential benefits, from 16.4.1994 till the date of reinstatement. It is submitted by the learned Addl. Standing Counsel that in order dated 1.1.1999 at Annexure-2 the applicant has already been reinstated to service with immediate effect. Subsequently after completion of inquiry in which the applicant has been exonerated, the Director, Central Poultry Breeding Firm (Res.2) has issued order dated 8.4.1999 copy of which has been filed treating the period of suspension from 16.4.1994 to 31.12.1998 as duty. It has also been decided by the competent authority to give all the consequential benefits to the applicant during the above period of suspension.

In view of this it is submitted by the learned counsel Addl. Standing Counsel that the prayer made by the applicant in this O.A. has already been met by the departmental authorities and therefore, the O.A. has become infructuous. Learned counsel for the petitioner submits that the relief claimed by the applicant has been ordered to be given to him by the departmental authorities. In view of the submissions made by the learned counsel for both sides, Original Application

Free copy of the order dt-9.2.99 may be given to the counsels for both sides.

Reba
10/2/99

Reba
10.2.99
S.O.

Received copy of the order dt-9.2.99
from Addl. ASC
22/2/99

Reba

Counter not filed -

for further orders -

Reba
22/3

Counter filed
copy served -
for further orders -

Reba
20.4.99

4

A copy of
the order
of 23.4.99
may be given
to the counsels
for both sides.
Ref
2914

Received
29.4.99
S. J.

is disposed of for having become infructuous, but
without any order as to costs.

Hand over copies of the orders to learned
counsel for both sides.

Vice-Chairman
29.4.99

MEMBER (JUDICIAL)