

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

for Hearing.

Order dated: 15.9.05

Heard the Ld. Counsel for the rival parties.

The Ld. Counsel for the applicant by filing memo dated 15.9.05 submits that the applicants in this O.A. have ventilated their grievance seeking benefit arising out of the judgment of the Apex Court in Ajit Singh Janaja and others case reported in AIR 1999 SC. However, soon thereafter, by virtue of the 85th amendment to the Constitution, the reserve candidates were allowed consequential seniority on their promotion to higher grade. As a result of the said amendment to the Constitution, the cause of action for the applicant diminishes. However, the said amendment of the Constitution, the Ld. Counsel submitted, being under challenge in the Writ Petition (Civil) No. 256/02, the applicants do not want to prosecute their case any further with a view that their inter-se seniority will be governed by the decision to be delivered by the Apex Court in the above mentioned case. In view of the aforesaid, the applicants seek leave to withdraw the application.

Having regard to the submission made by the Ld. Counsel for the applicants, permission is hereby granted to withdraw the O.A. Liberty is also granted to seek remedy at the appropriate forum in due course.

Accordingly, O.A. is disposed of being withdrawn. No costs.

Member (Judicial)

Vice-Chairman