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CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH, CUTTACK

O.A.No. 194 of 2008

Ansar Ali and other ... Applicants

-Versus-

Union of India & Ors. .... Respondents

1. Order dated: the 20<sup>th</sup> January, 2011.

C O R A M

THE HON'BLE MR.C.R.MOHAPATRA, MEMBER (A)

A N D

THE HON'BLE MR.A.K.PATNAIK, MEMBER (J)

*Copy of order  
dt. 20.1.2011  
issued to  
Counsel for  
both sides*

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Heard Learned Counsel for both sides and perused the materials placed by the Applicant along with his OA and Respondents' Counsel along with the counter filed in this case. By filing copy of the order dated 25.6.2009 Learned Counsel for the Applicant has brought to the notice of this Tribunal that meanwhile Applicant No.1 has already been promoted to the post in question and will be retiring shortly. He claims that since there is vacancy and more vacancy will be made available shortly, Respondents may be directed to consider the case of the Applicant No.2 who is otherwise eligible to hold the post in question. Considering the rival submissions by the parties and the averments made in the pleadings this Original Application and without going into the merit of the case, this OA is disposed of with direction to the Respondents to consider the case of the Applicant No.2 if there is vacancy and the Respondents are going to fill up the said promotional post and that the applicant is otherwise eligible to be promoted. No costs.

*A.K.PATNAIK*  
(A.K.PATNAIK)  
Member (Judl.)

*C.R.MOHAPATRA*  
(C.R.MOHAPATRA)  
Member (Admn.)