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CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH, CUTTACK

ORIGINAL APPLICATION NO. 743 OF 2011  
Cuttack this the 23rd day of February, 2012

CORAM:

HON'BLE SHRI C.R.MOHAPATRA, ADMINISTRATIVE MEMBER  
AND  
HON'BLE SHRI A.K.PATNAIK, JUDICIAL MEMBER

...  
S.C.Khatua...Applicant  
-VERSUS-  
Union of India & Ors. Respondents

**ORDER**

In this Original Application under Section 19 of the Administrative Tribunals Act, 1985, the applicant has sought the following relief.

- i) To quash the letter rejecting his request in letter No.9/10/2010-Estt.XIII/1793 dated 13<sup>th</sup> October, 2011 under Annexure-A/5.
- ii) To direct the Respondents to accept the refusal of promotion of the applicant and allow him to continue in the post where he is continuing;
- iii) To pass any other order/orders as deemed fit and proper.

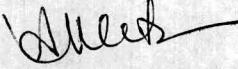
This matter came up for admission on 3.11.2011, when this Tribunal, while directing notice to the Respondents, as an interim measure, directed that no coercive action would be taken against the applicant in view of Annexure-A/1 and the applicant shall not be relieved, if not yet relieved. This interim order is in force as of date.

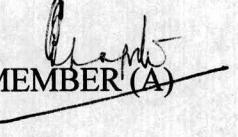
The Respondent-Department by filing Misc.Application No.121/2012 have submitted that the prayer of the applicant having been accepted, the O.A. has *been* rendered infructuous. In support of their contention, they have annexed to M.A. an office order dated 19.12.2011.

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We have heard Shri G.Rath, learned senior counsel for the applicant and Shri U.B.Mohapatra, learned SSC for the Respondents. Shri Rath is at one with the submissions made by the Respondents in M.A. 121/12.

In this view of the matter, the O.A. is disposed of for having become infructuous. No costs.

  
MEMBER(J)

  
MEMBER(A)