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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A.No. 98 of 2009
Cuttack, this the 24th day of March, 2011


Himansu Mohan Mohapatra Applicant


-v-

Union of India & Others Respondents

FOR INSTRUCTIONS

1. Whether it be referred to reporters or not?
2. Whether it be circulated to Principal Bench, Central Administrative Tribunal or not?


(A.K.PATNAIK)
Member(Judl)


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

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A No. 98 of 2009

Cuttack, this the 24th day of March, 2011

CORAM:

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

A N D

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

Shri Himansu Mohan Mohapatra, aged about 57 years, Son of Late Gadadhar Mohapatra, At-Sreevihar Colony, Post/PS-Tulasipur, Dist. Cuttack, PIN 751 008, at present working as Section Officer/Court Officer, Central Administrative Tribunal, Cuttack Bench, 4th floor, Rajaswa Bhawan, Cuttack, PIN-753 001.

.....Applicant

By legal practitioner: Mr. A.K.Mishra, Sr.Counsel

M/s.J.Sengupta, D.K.Panda, G.Sinha,

A.Mishra, D.K.Mohanty, Counsel.

-Versus-

1. Union of India represented through its Secretary to Government of India, Ministry of Personnel, Public Grievances and Pensions, Department of Personnel & Training, New Delhi, PIN-110 001.
2. Registrar, Central Administrative Tribunal, Principal Bench, 61/35 Copernicus Marg, New Delhi, PIN-110 001.
3. The Registrar, Central Administrative Tribunal, Cuttack Bench, 4th floor, Rajaswa Bhawan, Cuttack, PIN-753 002.
4. Shri Pramod Kumar Mishra, Section Officer, Central Administrative Tribunal, Patna Bench, 88-A, Srikrishna Nagar, Patna, PIN-800001.

....Respondents

By legal practitioner: Mr.U.B.Mohapatra, SSC.



ORDER

MR. C.R. MOHAPATRA, MEMBER (ADMN.):

This case has been listed today on the basis of the Memo dated 23-03-2011 filed by the Respondents' Counsel enclosing thereto a copy of the letter No.PB/4/25/2009-R dated 17-03-2011 of the Principal Bench of the Central Administrative Tribunal. Copy of this Memo dated 23-03-2011 has also been served on the Learned Counsel for the Applicant.

2. Relying on the letter of the PB dated 17-03-2011, Respondents' Counsel seeks disposal of this Original Application for being infructuous. The letter of the PB No.PB/4/25/2009-R dated 17-03-2011 reads as under:

"I am directed to refer to your letter F.No.22(4)/2009-Estt. dated 25.11.2010 and to say that on reconsideration of matter, the Hon'ble Chairman has been pleased to accept the request of applicant and revoke the order of reversion from the post of Section Officer to that of Assistant and decide not to contest the OA filed by Sh.HM.Mohapatra, Section Officer of your Bench.

You are, therefore, requested to advise the Learned Government Counsel to pray Hon'ble Court to permit the Department to concede the request of the Applicant in the aforesaid OA.

The action taken in the matter may please be intimated to us by return of post."


3. Heard Learned Counsel for both sides and perused the materials placed on record. The Respondents' Counsel submits that in view of the letter of the PB, there remains nothing further to




be adjudicated in this OA and, as such, this OA may be dismissed as infructuous. The Applicant's counsel has not raised any objection to the above contention. We also see that the applicant has challenged his order of reversion in this OA and the said order of reversion having been rescinded by the Hon'ble Chairman, the Applicant is deemed to have been continuing in the post of Section Officer/Court Officer.

4. For the reasons stated above and in view of the letter No. PB/4/25/2009-R dated 17-03-2011 of the PB, CAT, New Delhi (Respondent No.2), this OA stands dismissed for being infructuous.

5. Copy of this order be sent to Respondent No.2 forthwith.


(A.K.PATNAIK)
Member(Judl)


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