

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

OA.664 of 1996

Date of Order: 19-02-98.

Present: Hon'ble Mr.Justice S.N.Mallick, Vice-Chairman.
Hon'ble Mr.S.Dasgupta, Administrative Member.

MUKTI PADA BAXI & ORS.

-VS-

UNION OF INDIA & ORS.

For the petitioner: Mr.A.Chakraborty, counsel.
For the respondents: Mr.S.Cheudhury, counsel.

Heard on: 19-02-98.

O R D E R

S.N.Mallick, VC

In this application the petitioners have prayed for a declaration that they are entitled to be absorbed in the post of Yardmaster under the Railways in the scale of Rs 1600/- -2660/- after completion of their training of Traffic Apprentices and they have also prayed for a direction upon the respondents to fix their pay in such post in the above scale.

It has been urged in this application that the applicants are entitled to similar benefits granted to their counterparts by the Order dated 20.1.93 passed by the Cuttack Bench of this Tribunal in O.A.no.272 of 1991.

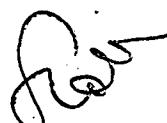
At the time of admission, the 1d.counsel appearing for the respondents has drawn our attention to the Supreme Court Judgement in Civil Appeal no.5410 of 1991, annexed to the reply, wherein by an order dated 6th May,1996, the aforesaid decision of the Cuttack Bench along with the

decisions taken by other different Benches , has been set aside.

Under the circumstances, the 1d.counsel appearing for the petitioner submits that in view of the above Supreme Court Judgement , the application has become infructuous.

We have gone through the judgement of the Hon'ble Supreme Court and we are of the view that the instant application does not lie and it has become infructuous. The application is accordingly dismissed but no order as to costs.


(S. Dasgupta)
Member(A)


(S.N. Mallick)
Vice-Chairman.