

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

CA/246/96

Date of Order : 22-9-93

Present :

Hon'ble Mr. B.P. Singh, Administrative Member

Hon'ble Mr. Nityananda Prusty, Judicial Member

Dipak Kumar Koley & 2 others. Applicants

-Vs-

Union of India (Defence) & 2 others. Respondents

For the applicant : Mr. S.K. Ghose, Counsel

For the respondents : Ms. U. Sanyal, Counsel

S R D E R

B.P. Singh, AM

Ld. Counsels for both sides are present.

2. This CA has been filed by the applicants against non-extension of benefit of the judgement and order as well as exclusion of the applicants from promotion.

The applicants have prayed for the following reliefs :-

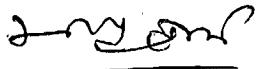
- (1) Leave be given to the applicants to file this joint application in terms of Rule 4(5)(a) of the Administrative Tribunals (Procedure) Rules, 1987; ;
- (2) to direct the respondents to give benefit of the judgement and order passed in CA/92 on 3-1-95 to the applicants herein as has been accorded to the applicants No.1 to 13 to the said CA/1219/92;
- (3) to direct the respondents to consider the case of the applicants in terms of statutory rules and not in terms of any executive order by passing the statutory rules and give promotional benefits to them;

- (4) to direct the respondents to assign proper seniority position to the applicants in terms of the statutory rules and in terms of the judgement and order passed in OA/1219/92 on 3-1-95;
- (5) to cancel, withdraw and/or rescind the rejection of order of promotion to the applicants herein insofar as it relates to the order of promotions as contained in Annexure D hereof;
- (6) to direct the respondents to produce the entire records of the case before the Hon'ble Tribunal for adjudication of the issued involved herein;

3. Heard Ld.Counsels for both sides. Ld. Counsel for the respondents submits that the reliefs prayed for by the applicants in this case have since been granted and necessary orders granting seniority ~~etc~~ <sup>etc</sup> as well as promotion have since been issued and thus this OA has become infructuous. Copies of such orders have also been produced before us and the same are kept on record.

4. In view of the above the OA is disposed of as it has become infructuous.

  
Nityananda Prusty,  
Judicial Member.

  
B.P. Singh,  
Administrative Member.