

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

No. OA 401 of 96

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

R. N. SINGH & ANR.

VS

UNION OF INDIA & ORS.

For the applicants : None

For the respondents : Mr.P.C.Saha, counsel

Heard on : 9.12.97

Order on : 9.12.97

O R D E R

No one appears for the petitioners when the matter is called for hearing. I have heard the 1d. counsel Mr.P.C.Saha, appearing for the respondents. It is a case for appointment on compassionate ground relating to applicant No.2. In the instant application the applicants have prayed for a direction upon the respondents to give an appointment to the applicant No.2 the son of the applicant No.1 on compassionate ground in Group 'D' post under the S.E.Railway represented by the respondent No.1 and 2. It appears ^{from} on the application that the applicant No.1 was medically declassified and was retired as Diesel Assistant, Loco, Bandamunda, S.E.Railway at the age of 48 years 25 days. Under the rules he prayed for appointment of his son the applicant No.2 in a Group 'D' post on compassionate ground. No relief ~~was~~ being granted in this regard the applicants filed this application before this Tribunal on 26.3.96. It has been submitted by Mr.Saha that the matter was being processed by the respondents and there was some natural delay to consider the case of appointment on compassionate ground. In the reply filed by the respondents on 8.1.97 it was pointed out that

the matter was being considered by the authority. Mr.Saha now submits that such appointment has already been given to the applicant No.2 w.e.f. 17.4.97. In support of his contention Mr.Saha has produced before me a true copy of the first page of the service book of the applicant No.2 showing that he was appointed w.e.f. 17.4.97 as a Token Porter on compassionate ground which is a Group 'D' post.

2. Under the circumstance as noted above the instant application has become infructuous and as such no order is passed. The application is treated as disposed of for being infructuous taking note of the subsequent event. The true copy of the first page of the service book as produced by the counsel for the respondents be kept on record. No order as to costs.

S. T. Ellick
VICE-CHAIRMAN