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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JODHPUR BENCH: JODHPUR.

O.A. No. 317/96

Date of Order: 28.4.1998

Virender Singh s/o Shri Durgadan working as Material Chasing Clerk under Dy. Chief Engineer (Construction) I, Northern Railway, Jodhpur in Grade 950-1500 r/o Plot No. 234, Vidhya Nagar Near Khad Factory, Paota 'C' Road, Jodhpur.

... Applicant

VERSUS

1. Union of India through General Manager, Northern Railway, Baroda House, New Delhi.
2. Chief Administrative Officer (Construction), Northern Railway, Kashmiri Gate, Delhi.
3. Dy. Chief Engineer (Construction) I, Northern Railway, Jodhpur.
4. Divisional Railway Manager, Divisional Office, New Delhi.

... Respondents

Mr. Y.K. Sharma, Counsel for the applicant.

Mr. S.S.Vyas, Counsel for the respondents.

CORAM:

Hon'ble Mr. A.K. Misra, Judicial Member

Hon'ble Mr. Gopal Singh, Administrative Member

ORDER

Per Hon'ble Mr. Gopal Singh

The applicant, Virender Singh, has approached this Tribunal Under Section 19 of the Administrative Tribunals Act, 1985, praying for a direction to the respondents to regularise his services as Material Chasing Clerk (for short, MCC) in the grade 950-1500 (RPS) with all consequential benefits.

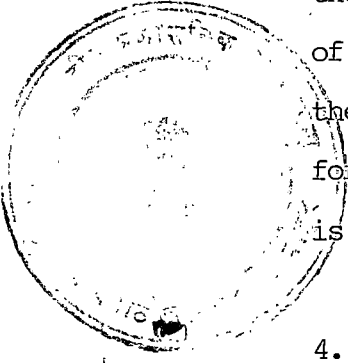
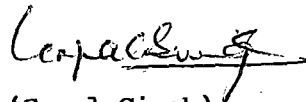
2. WE have heard the learned counsel for the parties and perused the records of the case.

3. The respondents in reply have stated that the applicant has since been regularised on the post of MCC in the grade 950-1500 (RPS) vide their letter dated 11.7.1997 (Annx. R/1). This position has also been

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accepted by the learned counsel of the applicant. In view of the letter dated 11.7.1997 of the respondents, the prayer of the applicant has been granted during the pendency of this O.A. As such the O.A. has become infructuous. The learned counsel for the applicant, however, stated that the regularisation of the applicant should have been done from the date of his appointment as MCC. In this connection, it is pointed out that the applicant has only prayed for his regularisation as MCC and no date for regularisation was mentioned in the prayer. As such, this arguments is not tenable at this stage.

4. The O.A. is accordingly dismissed as having become infructuous. Parties are left to bear their own costs.

(Gopal Singh)
Administrative Member



(A.K. Misra)
Judicial Member

Aviator/