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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH : JODHPUR.

Date of Order : 16.10.2001

O.A. No. 294/1998.
with
M.A. No. 52/2001.

T. C. Shishodia, s/o Shri Harji Lal aged 36 years, r/o Indira Colony, behind Sadul Sports School, Bikaner o/9 SA-I, MES-314719.

... APPLICANT .

versus

1. The Union of India-through The Secretary, Ministry of Defence, Raksha Bhawan, New Delhi.
2. The Coord & Pers Directorate/EIR(O), Engineer-in-Chief's Branch, Army Head Quarters, DHQ PO New Delhi-11.
3. Chief Engineer, HQ Western Command,Engineer Branch,Chandigarh-07
4. Head Quarters c/o Chief Works Engineer, CWE (Air Force), Bikaner.

... RESPONDENTS .

Mr. Kamal Dave, counsel for the Applicant.
Mr. Vineet Mathur, counsel for the Respondents.

CORAM

Hon'ble Mr. Justice B.S. Raikote, Vice Chairman.
Hon'ble Mr. Gopal Singh, Administrative Member.

: ORDER :
(per Hon'ble Mr. Justice B.S. Raikote)

This application is filed for a direction to the respondents to consider the applicant's promotion to the post of JSW by implementing the Reservation Policy as enshrined under the Constitution. The applicant contended that he belongs to Scheduled Caste Community, and under Reservation Policy he should have been promoted to JSW. But the same has been denied by the respondents. But the counsel for the applicant has further submitted that now he has been promoted to the post of JSW, but he contended that this



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promotion order should have been issued from a retrospective date.

But in our opinion, so far as the relief as prayed for by the applicant is concerned, he has already got it, therefore, this application has become infructuous. If the applicant feels aggrieved by any promotion order made subsequent to filing of this OA, it is open for the applicant to challenge the same according to law. In this view of the matter, we have no option but to dismiss the application as having become infructuous. Accordingly, we pass the order as under :-

"The OA is dismissed as having become infructuous.
Consequently, the MA also is dismissed as not surviving."

Gopal Singh
(GOPAL SINGH)

Adm. Member

B.S. RAIKOTE
(JUSTICE B.S. RAIKOTE)

Vice Chairman

P./C.

Part II and III destroyed
in my presence on 22-5-07
under the supervision of
Section Officer (1) as per
order dated 13-1-2007

NGM
Section Officer (Records)

Recd
6/5/2007

Part II and III destroyed
in my presence on ...
under the supervision of
Section Officer (1) as per
order dated ...

Section Officer (Records)

Pls
by
22/5/07

Part II and III destroyed
in my presence on ...
under the supervision of
Section Officer (1) as per
order dated ...

Section Officer (Records)