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**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR**

Original Application No. 127/2004
Date of Decision : this the 7th July, 2004.

***Hon'ble Mr. J.K. Kaushik, Judicial member
Hon'ble Mr. M.K. Misra, Administrative Member***

1. Heera Lal Verma S/o Shri Pratap Lal Verma
Aged 40 years, R/o Bhilwara and working as
Section Engineer (W), Bhilwara, under the Senior
Divisional Engineer (c), Ajmer. Quarter No. E/48/B
Railway Colony, Bhilwara.
2. Babu Lal S/o Shri Mohan Lal aged about 42 years
Resident of Nasirabad and working as 'Rail Path
Parivasa' under Section Engineer, Nasiraba,
North Western Railway, Ajmer.

..... Applicant

[None present for the applicant]

Versus

1. Union of India through the General Manager
North Western Railway, Headquarters Office, Jaipur
2. General Manager, Western Railway Headquarters Office
Church Gate, Mumbai.
3. Divisional Railway Manager,
North Western Railway, Ajmer Division, Ajmer
4. Divisional Personnel Officer,
North Western Railway, Ajmer Division, Ajmer
5. Divisional Personnel Officer,
Western Railway, Ratlam Division, Ratlam.

..... Respondents.



(By Advocate Mr. Salil Trivedi, for the respondents.)

ORDER

By the Court :

Shri Heera Lal has filed this Original Application assailing the impugned order dated 17/5/2004 at Annex. A/1, vide which the applicant was ordered to be repatriated to his alleged parent division that i.e. Ratlam Division on the multiple grounds mentioned in the Original Application.

2. The learned counsel for the respondents submits that the said impugned order has already been cancelled by the respondents vide order dated 27/5/2004 at Annex. R/1 and the position of the applicant has been restored. Reply has also been filed and the said order has been annexed thereto.

3. From the order-sheets for last two occasions, we find that the learned counsel for the applicant has not been appearing in this case. On the previous date the case was adjourned with an abundant caution and to give an opportunity to the applicant in the matter. But, since the very impugned order has been cancelled by the respondents, there is no use of keeping the matter pending and awaiting representation of the applicant in this case. Perhaps since the applicant has already got the desired relief and, therefore, he is not interested in pursuing the matter and that is the reason he is not being represented in the matter. In view of the aforesaid development the Original Application as such has become infructuous and no claim of the applicant survives. The Original Application is accordingly dismissed as having become infructuous. No costs.


(M.K. Misra)
Adm.Member


(J.K. Kaushik)
Judl.Member

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Part II and III destroyed
in my presence on 25.10.13
under the supervision of
section officer () as per
order dated 18.10.13

D.K. S
Section officer (Record) 25.10.13