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**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
JODHPUR BENCH, JODHPUR**

ORIGINAL APPLICATION NO. 158/2004

Date of decision: 15.07.2004

CORAM:

Hon'ble Mr. M.L. Chauhan, Judicial Member

Hon'ble Mr. M.K. Misra, Administrative Member

Mukesh Sharma son of Late Shri R.K. Sharma, "SAIL", aged 37 years, Senior Announcer/Broad Caster, at All India Radio, Bikaner & resident of House No. 3, Sethiya Quarters, Opp. D.R.M. (Rly.) office, Bikaner.

...Applicant

V e r s u s

1. The Union of India through Secretary I and B Shastri Bhawan, Dr. Rajendra Prasad Road, New Delhi.
2. The Director General, Prasar Bharti, Bhartiya Prasaran Nigam, Broadcasting House, Sansad Marg, New Delhi.
3. The Dy. Director (West), Administratin, Aakashwani, Broadcasting House, Mantralaya, Parisar, Church Gate, Mumbai.
4. The Assistant Station Director, All India Radio, Karni Singh Circle, Station Road, Bikaner.
5. Shri P.N. Joshi, Assistant Station Director, All India Radio, Karni singh Circle, Station Road, Bikaner.

...Respondents

Mr. G.K. Vyas, counsel for the applicant.

Mr. Kuldeep Mathur, counsel for the respondents.

O R D E R

PER M.L. CHAUHAN, JUDICIAL MEMBER

The applicant has filed this Original Application thereby praying for the following relief:

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"i. That by an appropriate writ, order or direction the order the order dated 03.06.2004 (An. A.1) and also order dated 04.06.2004 (An. A.7) passed by the respondent No. 3 may kindly be quashed and set aside and respondents be directed to reinstate the applicant back in service as if order An. A.1 was never passed and he may be awarded all consequential benefits viz; payment of salary, seniority, further promotion etc. etc.

ii. Any other appropriate direction or orders may be passed in favour of the applicant, which may be deemed just and proper in the facts and circumstances of this case in the interest of justice.

iii. The Original Application of the applicant may kindly be allowed with costs."

2. The facts of the case are that the applicant who was working as Radio Announcer, was terminated vide order dated 03.06.2004 (Annexure A/1). Against this order, he filed present Original Application in this Tribunal and this Tribunal while issuing notice to the respondents also granted interim stay till the disposal of this Original Application. The respondents has filed reply. In the reply, it has been stated that pursuant to the interim stay granted by this Tribunal, the applicant was reinstated and subsequently it was found that the order of termination of the applicant was passed without following the procedure laid down in CCS (CCA) Rule. Accordingly the said order of termination was withdrawn by the Director General (WR-I). Thus, according to respondents, the grievances raised by the applicant in the present Original Application has been redressed. The respondents has also annexed a copy of the



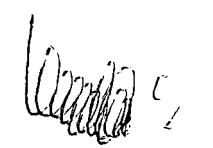
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order dated 22.06.2004 (Annexure R/1) whereby the termination order dated 03.06.2004 has been revoked.

3. In view of the averment made in the reply affidavit, the present application does not survive. In case the applicant is aggrieved on account of his suspension and initiation of disciplinary proceedings against him under CCS (CCA) Rules, liberty is reserved to him to take appropriate steps in accordance with law. The Original Application shall stand disposed of accordingly.


(M.K. Misra)
Administrative Member


(M.L. Chauhan)
Judicial Member

Kumawat

Part copy
19/10/04

Received Order copy
JRC
19/10/04

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

P.K. Singh 25.10.2013
Section Officer (Record)