

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

OA 63 of 1997

Present : Hon'ble Mr. S. Biswas, Administrative Member
Hon'ble Mr. Nityananda Prusty, Judicial Member

S.K. Roy

- VS -

S.E. Railway

For the Applicant : Mr. P.B. Mishra, Counsel

For the Respondents: Mr. S. Chowdhury, Counsel

Date of Order : 17-11-2003

ORDER

MR. NITYANANDA PRUSTY, JM

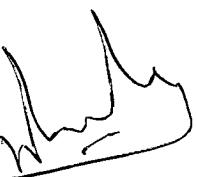
Heard Mr. Mishra, Ld. Counsel for the applicant and Mr. S. Chowdhury, Ld. Counsel for the official respondents.

2. The applicant in this O.A. has prayed for quashing the impugned chargesheet at Annexure-A/1. However, during the pendency of this case, the applicant had filed a supplementary affidavit inter-alia stating therein that in the meantime final order has already been passed in the disciplinary proceeding since 11-5-2000 and the same has also been communicated to the applicant. Ld. Counsel submits that since final order has already been passed in the disciplinary proceeding during the pendency of this O.A., this case has become infructuous and hence the applicant does not want to proceed with the case. Ld. Counsel further submits that in view of the above, the applicant may be given liberty to challenge the

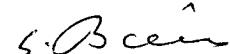
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final order passed in the disciplinary proceeding before appropriate forum in accordance with law. Mr. Chowdhury, Ld. Counsel for the official respondents has no objection to the above prayer made by the Ld. Counsel for the applicant.

3. In view of the above submissions made by the Ld. Counsel for both the parties, the O.A. is dismissed as 'not-pressed'. However, the applicant is at liberty to approach the appropriate forum for redressal of his grievance in accordance with law. No order is passed as to costs.



Member (J)



Member (A)

DKN