

Date of Order:27.07.2004

PRESENT : HON'BLE MR. S.K. HAJRA, ADMINISTRATIVE MEMBER  
HON'BLE MR. K.V. SACHIDANANDAN, JUDICIAL MEMBER

BISWARUP OJHA AND ORS.

VS.

UNION OF INDIA AND ORS.(C.L.W.)

For the Applicant : None

For the Respondents : Mr. C.R. Bag, Counsel  
Ms. U. Bhattacharjee, Counsel

O R D E R

MR. K.V. SACHIDANANDAN, JM:

Thirteen applicants, who are working under the Ministry of Railways as Work Mistries now re-designated as Supervisor(Works) in the Civil Engineering Department of Chittaranjan Locomotive Works, Chittaranjan, in scale of Pay Rs.1400-2300/-, have filed this application being aggrieved by the inaction on the part of the respondents and prayed for the following reliefs:-

"c) A mandate please may be given directing the respondent authorities to treat them at par with the Inspector of Works Grade-III according to their mode of recruitment Annexure "A" herein above and on the basis of recommendation of Chief Personnel Officer's letter dated 28.5.1993 Annexure-'G' herein above.

d) A direction please may be given directing the respondent authorities to give promotional benefit to the applicants like that of Inspector of Works Grade-III with retrospective effect, taking into consideration the real aspect of the matter inasmuch as the observation given by the Hon'ble Tribunal in connection with O.A. No.984 of 1993 Annexure "H" herein above."

2. Mr. R.N.Das, 1d. counsel leading Ms. S. Banerjee, 1d. counsel appearing for the applicant on record is not present. Heard Mr. C.R.Bag, 1d. counsel leading Ms. U. Bhattacharjee, 1d. counsel appearing for the respondents.

3. When the matter came up for hearing, Mr. C.R. Bag, counsel for the respondents submitted that counsel for the applicant could not attend the court due to his personal inconvenience. 1d. counsel for

the respondents produced the office order No.GMA/TA/CRC/2003(Supv.) dated 23.6.2004 today in the court, whereby they have submitted that the reliefs as has been prayed for by the applicants have already been implemented by adopting the restructure of Grade 'C' and Gr.'D' categories as per Railway Board's letter and the applicants have been found suitable and promoted and upgraded for the post of JE-Gr-II in the scale of Rs.5000-8000/- as a result of scrutiny of service record and confidential reports. Copy of the order has been handed over to the court, which will be kept in the record for future records.

4. Now the submission made by ld. counsel for the respondents is that since the reliefs as has been prayed for by the applicants has already been granted, hence nothing survives in this O.A. By going through the orders, we are accepting the above submissions made by the counsel for the respondents. Therefore, we are of the view that the O.A. is to be closed. However, we make it clear that if any grievance is left out to the applicants by virtue of this order, they are at liberty to approach the appropriate forum for redressal of their grievances.

5. With the above observations, the O.A. is closed. No order as to costs.

MEBER(J)

*Sanjay Kumar*  
MEMBER(A)