

**Central Administrative Tribunal, Lucknow Bench,
Lucknow**

Original Application No. 209/2008

This the 4th day of October, 2010

**Hon'ble Mr. Justice Alok Kumar Singh, Member-J
Hon'ble Mr. S.P. Singh, Member-A**

1. Sohan Singh Bodh, Aged about 52 years, S/o late Chhering Angrut, Working as Assistant Field officer (Medic) Office of the Area Organizer, SSB, Pilibhit, Permanent resident of Village & Post Yoornadh, Police Station Keylong, District Lahaul Spiti (H.P.)
2. Rajendra Kumar, Aged about 44 years, S/o lat Krina Chandra, Office of the Area Organizer, SSB, Pilibhit Permanent Resident of Village Post & Tehsil Jogendra Nagar, Mandi (H.P.).

.....Applicants

By Advocate: None

Versus

1. Union of India through Secretary, Department of Home Ministry, Home Affairs, New Delhi.
2. The Director General Sashastra Seema Bal, Block V (East), R.K. Puram, New Delhi.
3. Assistant Director (Admn) FTR, HQS, SSB, Lucknow.
4. Inspector General, Sashastra Seema Bal, FTI HQRS, Lucknow. U.P.

.....Respondents

By Advocate : Sri K.K. Shukla

ORDER (Oral)

By Justice Alok K Singh, Member-J

List revised. Nobody is responding for the applicant despite repeated calls. Sri K.K. Shukla, learned counsel for the respondents is present.

2. Learned counsel for the respondents submits that this is one of those cases in which after obtaining an interim order of status quo the same is being misused by the applicants for one reason or the other. He further adds that infact identical issues have already been raised by a number of civilian para medical staff of SSB before this Tribunal by means of O.A. no. 184 of 2007 in re. N.C. Ramola & Others Vs. Union of India & Others and before Guwahati Bench of the Tribunal by way of Original Application Nos. 12 of 2007, 114 of 2007, 120 of 2007, 135 of 2007, 42 of 2008, 56 of 2008, 58 of 2008, 60 of 2008 and 71 of 2008 as mentioned in para 8 of Civil Misc. Application No. 1589 of 2009. it is further added that the O.A. no. 184 of 2007 has already been dismissed by Lucknow Bench of the Tribunal by means of judgment and order dated 22.7.2008. The present applicant filed Writ Petition no. 1010 (S/B) of 2010 before the Hon'ble High Court at Lucknow Bench, which has been dismissed having become infructuous vide order dated 12.5.2010 on the ground that the impugned order has already been withdrawn and nothing survives in the Writ petition. The rest of the above O.As have already been dismissed by Guwahati Bench of the Tribunal on merits by a common order dated 20.6.2008. Both these judgments/orders have been brought on record as Annexure nos. SCA-2 and SCA-3 respectively to the Supplementary Affidavit.

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3. Learned counsel also points out and rightly so that there is no ground to disbelieve this affidavit which has not been controverted by filing any Supplementary Rejoinder Affidavit.

4. Having regard to the aforesaid material facts, the O.A. is hereby dismissed and interim order of status quo is vacated. No order as to costs.



(S.P. Singh)
Member-A



4.10.10
(Justice Alok K Singh)
Member-J

Girish/-