

CENTRAL ADMINISTRATIVE TRIBUNAL, LUCKNOW BENCH, LUCKNOW

**Original Application No.272/2009
This the 17th Day of March 2011**

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

Ganesh Prasad aged about 30 years G.D.S.B.P.M. Hasanapura
Shahpur Bhagauli District Barabanki.

...Applicant.

By Advocate: Sri R.S. Gupta.

Versus.

1. Union of India through the Secretary Department of Post Dak Bhawan, New Delhi.
2. DPS o/o Chief Postmaster General U.P., Lucknow.
3. Superintendent of Post Offices, Barabanki.
4. Superintendent of Post Offices, Ghaziabad Division.

.... Respondents.

By Advocate: Sri S.K. Awasthi.

ORDER (Dictated in open Court)

By Hon'ble Mr. Justice Alok Kumar Singh, Member (J)

As already mentioned in the order dated 14.03.2011 the original relief sought in this OA was for quashing the order in question and for directing the opposite parties to appoint him in postman cadre in Ghaziabad Division. On the last occasion, learned counsel for applicant conceded that applicant has been appointed in postman cadre in Ghaziabad Division. But today he says that the applicant has been appointed in Barabanki Division.

2. From the order side, it is said that this OA has become infructuous for all practical reasons because substantial relief has already been achieved. But the learned counsel for applicant says

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that he intends to file an amendment application seeking consequential benefits. Had there been any bonafide intention to move an amendment application or affidavit, it could have been done by today. On the converse the learned counsel for applicant has probably not even brought the file of this case. He has stood up empty handed before the podium. On the previous occasion, learned counsel for applicant also said that the applicant belongs to scheduled caste and on account of reservation, he is entitled to earlier promotion/appointment. But there are no pleadings to this effect in the entire OA. The fact of the matter is that for the last more than one year, no R.A. has been filed despite giving several opportunities.

3. In view of the above OA is liable to be dismissed having become infructuous. It is ordered accordingly. No order as to costs.

S.P. Singh
(S.P. Singh)
Member (A)

Alok K. Singh 17.3.2011
(Justice Alok Kumar Singh)
Member (J)

Amit/-