

Central Administrative Tribunal Lucknow Bench Lucknow

Original Application No. 539/2009

This, the 3rd day of MAY, 2010

Hon'ble Shri Justice Shiv Charan Sharma, Member (J)

Hon'ble Dr. A. K. Mishra, Member (A)

Nagendra Kumar Tewari, aged about 35 years, Son of Sri Kuber Nath Tewari, R/o Village & Post Muraini (Atheha) District- Pratapgarh, U. P.

Applicant

By Advocate Sri Raj Singh.

Versus

1. Union of India through Secretary, Ministry of Communication, Department of Post, Dak Bhawan, Sansad Marg, New Delhi.
2. Post Master General, Allahabad Region, Allahabad.
3. Senior Superintendent of Post Offices, Pratapgarh Division, Pratapgarh.
4. Sub-Divisional Inspector (Central), Sub Division, Pratapgarh.
5. Shri Dharendra Kumar Mishra, aged about 33 years, S/o Sri Hriday Narain Mishra, R/o Village Duhiya, Post Mammadapur, District- Pratapgarh, U.P.

Respondents

By Advocate: Sri Alok Trivedi for Sri G. K. Singh.

Sri P.K. Sakia for Sri R. K. Upadhaya.

Order (Oral)

By Shri Justice Shiv Charan Sharma, Member (J)


Heard counsel for the parties.

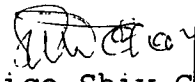
Learned counsel for the applicant stated that in the light of the subsequent developments initiated by the department concerned, this O.A. may be disposed of finally, that the respondent No. 5 was appointed in spite of being at No. 2 but subsequently his services were terminated. Being aggrieved by the order of termination, he preferred an O.A. before this Tribunal and the Tribunal quashed the order of termination and directed the respondents to decide the case of the respondent No. 5 after serving a show cause notice. Thereafter, the department concerned served a show cause notice to the respondent No. 5. After receipt of the reply, his services were terminated and the applicant was appointed in his place. Afterwards, the respondent No. 5 was also accommodated somewhere else and what had happened after filing of the O.A., this O.A. has rendered infructuous and it may be decided as such.

Learned counsel for the respondents has not disputed this fact and he produced a copy of the order of the Post and Telegraph Department.

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Hence, in view of the latest developments of the case, this O.A. has become infructuous and the same is dismissed.


(Dr. A. K. Mishra)
Member (A)


(Justice Shiv Charan Sharma)
Member (J)

v.