

Central Administrative Tribunal, Lucknow Bench

O.A. No. 154/2008

This the 28th day of September, 2011

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

Sunil Kumar Srivastava aged about 48 years son of late Sri Guru Prasad at present residing at 255/353/1, Kamla Bhawan, Kundari Rakabganj, Lucknow.

Applicant

By Advocate: Sri Praveen Kumar

Versus

1. Union of India through the General Manager, Northern Railway, Baroda House, New Delhi.
2. Dy. Director, Establishment (Welfare), Railway Board, Rail Bhawan, New Delhi.
3. Divisional Railway Manager, Northern Railway, Hazratganj, Lucknow.

Respondents

By Advocate: Sri S. Verma

**ORDER (ORAL)**

**BY HON'BLE SHRI JUSTICE ALOK KUMAR SINGH, MEMBER (J)**

This O.A. has been filed for the following reliefs:-

- a) To quash the order dated 6.9.2007 annexed as Annexure No.1 to this O.A. and all its consequential orders, if any, with all consequential benefits.
- b) To extent the benefits of 1<sup>st</sup> class passes to the applicant as has been provided to the similarly situated persons of the same panel of employment notice no.1/80-81.
- c) Any other relief, which this Hon'ble Tribunal may deem fit, just and proper under the circumstances of the case, may also be passed.
- d) cost of the present O.A.

2. The case of the applicant is that <sup>though</sup> he was selected for the post of Office Clerk on 6.10.85 itself when the result was finally declared. Thereafter, the merit list of selected candidates were prepared and it was issued on 25.10.85 with respect to the post of Sr. Clerk. The

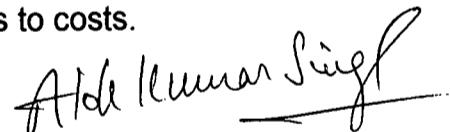


name of the applicant finds place at Sl. No. 264 (Annexure A-2). It is said that the Railway passes are issued to the Railway Officials but vide letter dated 6.9.2007, a certain class of persons were made eligible for first class pass depriving the applicant. Hence this O.A.

3. The O.A. was contested by filing a counter affidavit saying that the aforesaid letter has been issued in accordance with the then existing rules/ regulations and decision taken by the competent authority at the relevant time. As against the above, Rejoinder Reply has also been filed.

4. I have heard the learned counsel for the parties and perused the material on record.

5. Learned counsel for applicant submits that after coming into the effect the VIth Pay Commission report, the letter dated 6.1.2011 has been issued on account of which the grade pay which the applicant is getting has also been included for issuance of first class passes and therefore, he fairly concedes that this O.A. has become in-fructuous for all practical purposes and also because the impugned letter dated 6.9.2007 (Annexure A-1) has become meaningless. In view of the above, O.A. stands finally disposed of. No order as to costs.



(Justice Alok Kumar Singh)  
Member (J)

HLS/-