

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

**Original Application No. 353 /2008**

This the 30th day of April, 2010

**Hon'ble Mr.Justice Shiv Charan Sharma, Member (J)**

1. Hari Om Shiv aged about 29 years son of Sri Satya Narayan resident of Village -Guswapur, Post Bela Khera, District- Rae Bareilly.
2. Sushil Kumar Yadav aged about 26 years son of Sri Ram Kumar Yadav, resident of Village Nayapurwa Post Hasanpur, Khewall, Gosainganj, Lucknow.
3. Prem Shanker Tiwari aged about 32 years son of Sri Gupteshwar Nath Tewari, resident of 161 A, Railway Quarter, Telka Ghat, Howrah.
4. Ashok Yadav aged about 34 years son of Sri Muihe Ram, resident of c/o Village Nayapurwa Post Hasanpur Khewali, Gosainganj, Lucknow.
5. Md. Shameem aged about 30 years son of Sri Vashir Ali resident of Village Majhotra Post Bakshi Ka Talab, Lucknow.
6. Subhash Chandra Pal aged about 33 years son of Sri Gaya Deen Pal resident of Village Guswapur Post Bela Khera District- Rae Bareilly.

**Applicants**

By Advocate: Sri Praveen Kumar

**Versus**

1. Union of India through the Comptroller and Auditor General of India, New Delhi.
2. The Accountant General (Audit), II, Uttar Pradesh , Lucknow.
3. The Sr. Audit Officer/ GD, AG, Office 6<sup>th</sup> Floor Kendriya Bhawan, Aliganj, Lucknow

**Respondents**

By Advocate: Sri Deepak Shukla for Sri Prashant Kumar

**ORDER (ORAL)**

**Hon'ble Mr. Justice Shiv Charan Sharma, Member (J)**

I have heard Sri Praveen Kumar learned counsel for applicants and Sri Deepak Shukla brief holder for Sri Prashant Kumar for respondents.

2. This O.A. has been instituted challenging the oral termination of the applicants but learned counsel for applicants stated that there is a subsequent event of the year 2010. As the post was abolished hence the applicant was terminated but vide order dated 14.1.2010 of the office of Controller and Auditor General of India, the posts has been restored. In this circumstances, this O.A. may be disposed of finally with a direction to the respondents for deciding the representation of the applicant within a stipulated period. Respondents counsel have no objection to it.

*W.S. Day*

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3. I have perused the letter of 14.1.2010. It has been stated in this letter that "it has been decided to restore 18 posts of Group 'D' in your office abolished vide headquarters' letter No. 1526-BRS/Abolition/116-2007 dated 4.5.2007. Thus, the sanctioned strength of this cadre in your office as on 1.3.2007 is restored."

4. Counsel for applicants argued that applicant was terminated in pursuance of letter mentioned above and hence the post has been restored and the applicants may be accommodated. O.A. is finally disposed of to the effect that the applicants shall make a representation to the respondents within a period of 10 days and the same shall be disposed of by the respondents within a period of 2 months in the light of <sup>letter 8</sup> order dated 14.1.2010 as mentioned above from the date of receipt of copy of this order along with representation. No costs.

  
(Justice Shiv Charan Sharma)  
Member (J)

HLS/-