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**CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW BENCH
LUCKNOW**

Original Application No. 425 of 2010

This, the 3rd day of December, 2013.

HON'BLE MR. NAVNEET KUMAR MEMBER (J)

HON'BLE MS. JAYATI CHANDRA, MEMBER (A)

Smt. Tara Devi W/o Late Nar Singh Lal Gupta, TTE and EX-Divisional, NER, Indian Railway Ticket Checking Staff Organization, NE Railway aged about 55 years, son of Late Chhedi Lal Gupta, Resident of L-D Loco Colony, Aishbagh, Lucknow.

Applicant

By Advocate Sri M. A. Siddiqui.

Versus

1. Union of India through the General Manager, N. E. Railway, Gorakhpur.
2. The Chief Commercial Manager, North Eastern Railway, Gorakhpur.
3. The Divisional Railway Manager, N.E. Railway, Ashok Marg, Lucknow.
4. The Divisional Commercial Manager, N.E. Railway Varanasi.
5. The Assistant Commercial Manager-I, N.E Railway, Ashok Marg, Lucknow.

Respondents

By Advocate Sri Rajendra Singh.

Order (Oral)

By Hon'ble Mr. Navneet Kumar, Member (J)

The learned counsel appearing on behalf of the applicant filed M.A. No. 940/13 whereby a request is being made for substituting the wife of the ex-employee in place of the applicant, since the ex-employee expired on 28.2.13. The present substitution is preferred on 25.4.13, as such, substitution application is allowed. The learned counsel for the applicant is permitted to incorporate the necessary amendments during the course of the day.

2. The learned counsel for the respondents have filed their reply and through reply, it is pointed out by the respondents that no disciplinary proceedings on SF-11 are pending against the applicant in Varanasi Division. Not only this, the learned counsel for the respondents has also submitted that no charge sheet is pending against the applicant as on today.

3. Since, the present O.A. is preferred by the applicant challenging the charge sheet and as per the statement of the respondents that no disciplinary proceedings is pending as well as no charge sheet is pending against the applicant, nothing survives to be adjudicated in the present O.A. Accordingly, the O.A. has rendered infructuous and same is dismissed as infructuous. No order as to costs.

J. Chandra

(Ms. Jayati Chandra)
Member (A)
vidya

V.P. Chawla

(Navneet Kumar)
Member (J)