

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
NEW BOMBAY BENCH  
NEW BOMBAY

TRANSFERRED APPLICATION NO.Tr.(N) 363/87

(1)

Dilip Laxmikant Deo  
Plot No.14-B  
of Tilak Nagar,  
Nagpur. .... Applicant

Vs.

Union of India through  
the Secretary ,Ministry of  
Finance, New Delhi and  
five others. .... Respondents

Coram: Hon'ble Shri M.Y.Priolkar, Member(A)  
Hon'ble Shri J.P.Sharma , Member(J)

Dated 14-1-1991

Tribunal's Order  
(Per: Shri M.Y.Priolkar, Member(A))

This original Writ Petition No. 1684/1985 filed in the High Court of Judicature at Bombay, Nagpur Bench which has been transferred to this Tribunal and numbered as Tr.(N) 363/87.

2. The matter was admitted by the High Court and the Reply of the Respondents 1 to 4 is on record. The matter was fixed for appearance, directions and reply of Respondents Nos. 5 and 6 before the Tribunal on 6th July,1990 and thereafter on 17-9-90 and on 28-11-90 and today. But ~~on all~~ <sup>on all</sup> of these occasions, none has appeared either on behalf of the applicant or on behalf of the respondents. It is also observed that from the affidavit filed by respondents ~~by~~ <sup>that they had</sup> ordered refixation of the seniority of the applicant and also promoted him as Officiating Head Clerk w.e.f. 9-9-1980. It is also averred in that affidavit that the applicant having accepted revised seniority and promotion from ~~deem~~ <sup>ed</sup> date, no cause of action now exists and therefore this Tr.Application has become infructuous. The applicant has not filed rejoinder to this reply nor appeared on any of the earlier dates on which this case was fixed.

3. This Transferred Application is accordingly dismissed with no order as to costs.

(J.P.Sharma)  
(J.P.Sharma)  
Member(J)

(M.Y.Priolkar)  
(M.Y.Priolkar)  
Member(A)

14-1-91