

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH

Original Application No: 838/92.

Date of Decision: 6/4/99

Indian Railway Technical Supervisors Association, Parel Bombay. & 4 Ors. Applicant.

Shri G.S.Walia Advocate for  
Applicant.

## Versus

Union of India & 2 Ors. Respondent(s)

shri S.C.Dhawan \_\_\_\_\_ Advocate for Respondent(s)

**CORAM:**

Hon'ble Shri.Justice R.G.Vaidyanatha, Vice Chairman.

Hon'ble Shri. D.S. Baweja, Member(A).

- (1) To be referred to the Reporter or not?
- (2) Whether it needs to be circulated to other Benches of the Tribunal?

abp.

  
(R.G. VALDYANATHA)  
VICE CHAIRMAN

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

GULESTAN BLDG. NO. 6, 4TH FLR, PRESCOT RD, FORT,

MUMBAI - 400 001.

ORIGINAL APPLICATION NO. 838/92.

DATED THE 6TH DAY OF APRIL, 1999.

CORAM: Hon'ble Shri Justice R.G.Vaidyanatha, Vice Chairman.

Hon'ble Shri D.S.Baweja, Member(A).

1. Indian Railway Technical Supervisors Association, Parel Workshop, Central Railway, Parel, Bombay - 400 012. Represented by Shri A.B.Mishra, Secretary.
2. A.B.Mishra
3. Ramji Singh
4. R.N.Mishra
5. P.Natarajan  
(Applicant Nos. 2, 3 & 4 are working as Chargeman Gr. 'A' in Parel Workshop and Applicant No. 5 is working as Dy. Shop Supdt. in Parel Workshop).

... Applicants.

By Advocate Shri G.S.Walia.

v/s.

1. Union of India through Secretary, Railway Board, Rail Bhawan, New Delhi - 110 011.

2. General Manager, Central Railway, Bombay V.T., Bombay - 400 001.

3. Chief Workshop Manager, Parel Workshop, Central Railway, Bombay - 400 013.

... Respondents.

By Advocate Shri S.C.Dhawan.

I O R D E R I

[ Per Shri R.G.Vaidyanatha, Vice Chairman ]

This is an application filed by the applicant seeking quashing of the Impugned order dated 26/2/92 and to direct the respondents to consider for promotion only technical supervisors in a particular grade and other consequential reliefs. The

*Par*

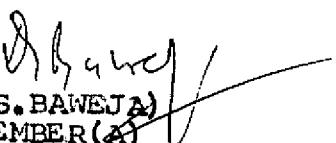
respondents have filed reply opposing the applicant. We have heard the learned counsels appearing on both sides.

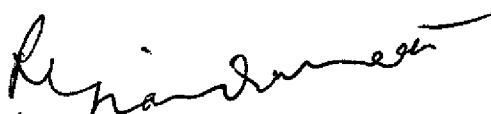
2. As can be seen from the allegations of the applicant, the applicants are seriously challenging the impugned order dated 26/2/92 in which some candidates were selected for promotion. They have taken number of grounds for challenging the legality and validity of the impugned order.

Now, it is brought to our notice by learned counsel for respondents that the respondents themselves have cancelled the impugned order dated 26/2/92. In particular in para-18 of their reply, the respondents have clearly stated that the notification dt. 26/2/92 has been treated as cancelled and a fresh notification has been issued for selection for promotion.

3. In view of the fact that the impugned order has been cancelled by department and they have taken necessary steps to fill up the posts as per rules, nothing survives.

4. In the result, the OA is disposed of subject to above observations since the respondents have themselves cancelled the impugned order dated 26/2/92. No order as to costs.

  
(D.S. BAWEJA)  
MEMBER (A)

  
(R.G. VAIDYANATHA)  
VICE CHAIRMAN

abp.