

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Second Floor,
Commercial Complex,
Indiranagar,
Bangalore-38.

Dated: 1 FEB 1994

APPLICATION NO(s) 519 of 1993.

APPLICANTS: S.R.Govinda Raju and three Others. v/s. RESPONDENTS: Comptroller and Auditor General of India and Others.

TO.

1. Sri.N.B.Bhat, Advocate, No.545,
Sixteenth-A-Main Road,
Third Block, Koramangala,
Bangalore-560 034.
2. The Accountant General (Audit),
Karnataka-I, Bangalore-560 001.
3. Sri.M.Vasudega Roa, C.G.S.C.,
High Court Bldg, Bangalore-1.

SUBJECT:- Forwarding of copies of the Orders passed by
the Central Administrative Tribunal, Bangalore.

-xxx-

Please find enclosed herewith a copy of the
ORDER/STAY ORDER/INTERIM ORDER/, Passed by this Tribunal
in the above mentioned application(s) on 21-01-1994.

*Issued on
2/2/94*

for *R. D. S.*
DEPUTY REGISTRAR
JUDICIAL BRANCHES. *1/2/94*

gm*

Ole

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BANGALORE

ORIGINAL APPLICATION
NO.519/93

FRIDAY THIS THE 21ST OF JANUARY, 1994

Mr. A.N. Vajjanaradhaya Member (J)

Mr. T.V. Ramanan Member (A)

1. Shri S.R. Govinda Raju
Senior Auditor
2. Shri K. Ram Kumar,
Senior Auditor
3. Shri M. Gunalan
Senior Auditor
4. Shri H.N. Chandrashekar
Senior Auditor

Applicants

(Working in the Office of
the Accountant General
(Audit) I, Main Building,
Bangalore - 560 001

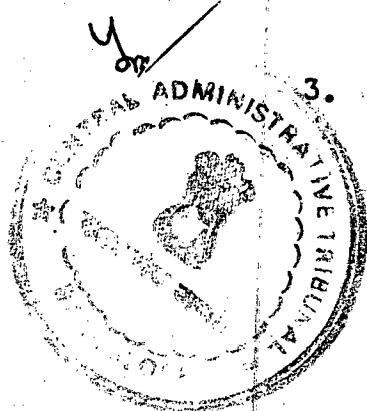
(By Advocate Shri N.B. Bhat)

vs.

1. The Comptroller and Auditor
General of India,
No.10, Bahadur Shah Zafar Marg,
P.B.No.7,
Indraprastha Estate Head PO,
New Delhi - 110 002
2. The Accountant General (Audit),
New Delhi,
Bangalore - 560 001
3. The Sr.Dy.Accountant General (Admn),
Office of the Accountant General
(Audit), New Building,
Bangalore - 560 001

Respondents

(By Advocate Shri M.V. Rao)



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ORDER

Shri T.V. Ramanan, Member(A)

M.A.No.193/93 for filing joint application is allowed and we proceed to dispose off the application on merits.

We have heard Shri S.N. Bhat, learned counsel for the applicant and Shri M.V. Rao, learned Standing Counsel representing the respondents.

We find that the application has become infructuous in as much as all the applicants have been promoted as Section Officers(Audit) subsequent to the filing of this application herein before us. The main grievance of the applicants was the likelihood of deputation of officials from the Accounts Wing for being appointed as Section Officers (Audit), whereas the applicants, although they had taken SOGE-Part II (Audit) Examination, results whereof not yet declared, were entitled to promotion as Section Officers(Audit) in the Audit Wing. Now that all the applicants have been promoted on the basis of the results of the aforesaid examination, they should not have any grievance as individuals. As regards the question of the propriety of the Accounts Wing employees who have passed the SOGE (Accounts) Part II Examination, being sent on deputation to hold posts of Section Officer(Audit) in the Audit Wing, the counsel for the applicants refers to the judgment in OA 683/93 of the Hyderabad

Bench of the Tribunal dated 12.10.1993, wherein the Bench while rejecting the relief prayed for by the applicants in that O.A. made the following observation:

"It is not for the Court or Tribunal to express as to how the concerned authority has to fill up the posts in such contingencies. But, we intend to make it clear that eventhough we are not granting the relief prayed for by the applicants to the effect that they should be appointed on ad hoc basis, the same cannot be construed as a bar for promoting them as Section Officer(Audit) on adhoc basis, if the concerned authority feels that it is necessary to fill up the posts of Section Officer(Audit) and that there is no possibility of filling them by transfer or transfer on deputation."

However, as we find that the present application has become infructuous, we do not want to express any view in this regard. This application is, therefore, rejected as having become infructuous with no order as to costs.



Sd-
(H.V. RAMANAN)
MEMBER (A)

Sd-
(A.N. VUJJANARADHYA)
MEMBER (J)

TRUE COPY

SECTION OFFICER
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE