

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH

Original Application No:746/94

Date of Decision:6/4/99

Shri R.C.Rakesh

Applicant.

Advocate for  
Applicant.

Versus

Union of India & Anr.

Respondent(s)

Shri R.R.Shetty for Shri R.K.Shetty for R-1.

Shri P.G.Zare for R-2.

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.VAIDYANATHA)  
VICE CHAIRMAN

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

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

MUMBAI-400 001.

ORIGINAL APPLICATION NO.746/94.

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).

Shri R.C.Rakesh,  
Joint Director(Evaluation) and  
Incharge Director,  
Directorate of Cotton Development,  
Ballard Estate,  
Indian Mercantile Chamber Building,  
14, Ramjibhai Kamani Marg,  
Bombay - 400 038.

... Applicant.

v/s.

1. Union of India, through its  
Secretary, Ministry of Agriculture,  
Department of Agriculture & Cooperation,  
Krishi Bhavan,  
New Delhi-100 001.

2. Shri D.P.Gurumukhi,  
Joint Director(Development),  
Director of Cotton Development,  
Ballard Estate,  
G.P.O. P.B.No.1002,14,  
Ramjibhai Kamani Marg,  
Bombay - 400 038.

... Respondents.

By Advocate Shri R.R.Shetty for  
Shri R.K.Shetty.-1.

Shri P.G.Zare for R-2.

I O R D E R I

I Per Shri R.G.Vaidyanatha, Vice Chairman I

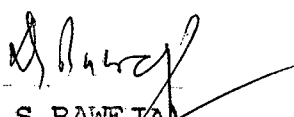
The case is called out for Final Hearing.

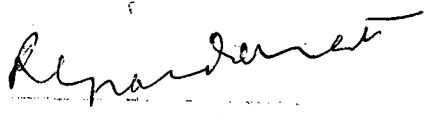
Applicant and Counsel absent. Shri R.R.Shetty for Shri R.K.  
Shetty for respondent No.1. Shri P.G.Zare for Respondent  
No.2.

After heing respondent's counsel and going  
through materials on record and in view of the subsequent  
retirement of the applicant on 31/1/97, we feel that the  
present OA does not survive. The application was filed  
challenging the appointment of second respondent as  
Director incharge. Interim order dated 5/8/94 was granted  
staying the impugned order in which second respondent was

given the post of Director-incharge and statusquo was ordered to be maintained and now the applicant has retired from service. Therefore, nothing more survives in the matter. Hence, OA is disposed of as <sup>having become</sup> infructuous, and is disposed of.

2. In the result, the OA is disposed of. There will be no orders as to costs.

  
(D.S. BAWEJA)  
MEMBER (A)

  
(R.G. VAIDYANATHA)  
VICE CHAIRMAN

abp.