

(13)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

\* \* \*

Date of Decision: 13.2.96.

OA 578/90

Shyam Sunder Lal

... Applicant

Versus

Union of India and others

... Respondents

CORAM:

HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN

HON'BLE MR. O.P. SHAFMA, MEMBER (A)

For the Applicant

... Mr. Shiv Kumar,

brief holder for

Mr. J.K. Kaushik

For the Respondents

... Mr. Manish Bhandari

O R D E R

PER HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN

Applicant, Shyam Sunder Lal, in this application u/s 19 of the Administrative Tribunals Act, 1987, has prayed for quashing the impugned memorandum dated 22.10.90/19.11.90, at Ann.A-3, by which the penalty of reduction to one grade below i.e. in the scale Rs.1200-3040 (FP) on pay Rs.1200/- (P.M.) for a period of three years with future effect was proposed to be enhanced to that of removal from service.

2. We have heard the learned counsel for the parties and have perused the records.

3. The impugned memorandum is a show-cause notice against the proposed enhancement of penalty to that of removal from service. The learned counsel for the applicant has stated that the applicant has already retired from service in the month of September, 1995. On 21.12.90, the Tribunal had directed, by way of interim relief, that the services of the applicant shall not be terminated till further orders. This order was not vacated at any subsequent stage of the proceedings of this OA. Since the applicant has retired in September, 1995 without his services having been terminated by taking further action in response to the notice Ann.A-3, the present OA has become infructuous.

4. The OA is accordingly dismissed as having become infructuous. There shall be no order as to costs.

(O.P. SHAFMA)  
MEMBER (A)

G.K.  
(GOPAL KRISHNA)  
VICE CHAIRMAN

VK