

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.1220/95.Dt. of Decision : 27-11-97.

R.Jagadeesh Babu

.. Applicant.

Vs

1. The Union of India, Rep. by its Secretary, Min. of Finance, (Dept. of Revenue), North Block, New Delhi.
2. The Board of Customs & Central Excise, New Delhi rep. by its Chairman.
3. The Commissioner of Customs and Central Excise, Hyderabad.
4. The Dy. Commissioner (P&V) Customs and Central Excise, Hyderabad.

.. Respondents.

Counsel for the applicant : Mr.G.Parameswara Rao

Counsel for the respondents : Mr.V.Rajeswara Rao, Addl.CGSC

CORAM:

THE HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.)

THE HON'BLE SHRI B.S.JAI PARAMESHWAR : MEMBER (JUDL.)

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ORDER

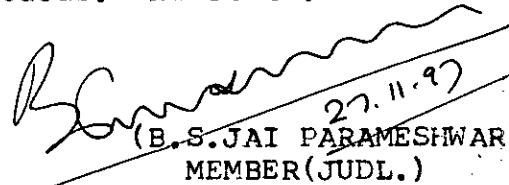
ORAL ORDER (PER HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.))

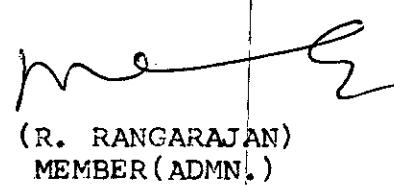
1. Heard Mrs. Sakthi for Mr. G. Parameshwara Rao, learned counsel for the applicant and Mr. V. Rajeswara Rao, learned counsel for the respondents.

2. This OA is posted to-day in view of the MA. 1107/97 in this OA praying for vacation of interim order passed in this OA. ^{later} When this MA for hearing, the learned counsel for the respondents in the OA submitted that this OA is filed challenging the impugned order No. 169/95 dt. 21-09-95 (Annexure-I) whereby the unwillingness of the applicant to join as Deputy Office Superintendent (L-II) on promotion was rejected. The learned counsel for the respondents in the OA now brought to our notice the latest order No. 3/97 dated 7-1-97 (Annexure-R-1 to the MA) wherein the request of the applicant for foregoing his promotion to the cadre of Dy. Office Superintendent (L-II) of Customs and Central Excise for a period of one year from the date of refusal of promotion is accepted or the refusal will expire till the next vacancy arises, whichever is later. In view of the above revised order the learned counsel for the respondents submit that the OA itself has become infructuous.

3. The learned counsel for the applicant also agrees with the appreciation given by the learned counsel for the respondents stating that the OA has become infructuous and hence the OA may be disposed of as infructuous.

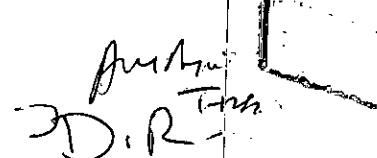
4. In view of the above submission, the OA is dismissed as infructuous. No costs.


27.11.97
(B.S. JAI PARAMESHWAR)
MEMBER (JUDL.)


(R. RANGARAJAN)
MEMBER (ADMN.)

Dated : The 27th Nov. 1997.
(Dictated in the Open Court)

spr


D.R.

1. The Secretary, Ministry of Finance, (Deptt. of Revenue), North Block, New Delhi.
2. The Chairman, Board of Customs & Central Excise, New Delhi.
3. The Commissioner of Customs and Central Excise, Hyderabad.
4. The Dy. Commissioner (P&V) Customs and Central Excise, Hyderabad.
5. One copy to Mr. G. Parameswara Rao, Advocate, CAT., Hyd.
6. One copy to Mr. V. Rajeswara Rao, Addl. CGSC., CAT., Hyd.
7. One copy to D.R.(A), CAT., Hyd.
8. One copy duplicate.

srr

9/12/92

(8)

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD

THE HON'BLE SHRI R.RANGARAJAN : M(A)

AND

THE HON'BLE SHRI B.S.JAI PARAMESHWAR :
M (J)

Dated: 27/11/92

ORDER/JUDGMENT

M.A./R.A./C.A. NO.

in
D.A. NO. 1220/95

Admitted and Interim Directions
Issued.

Allowed

Disposed of with Directions

Dismissed

Dismissed as withdrawn

Dismissed for Default

Ordered/Rejected

No order as to costs.

YLR

II Court

