

(3)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

Date of Decision: 05.01.1994.

QA 424/93

B.L. TANK

... APPLICANT.

v/s.

UNION OF INDIA & ORS.

... RESPONDENTS.

CORAM:

HON'BLR MR. GOPAL KRISHNA, MEMBER (J).
HON'BLR MR. O.P. SHARMA, MEMBER (A).

For the Applicant ... NONE.

For the Respondents ... SHRI N.K. JAIN.

PER HON'BLR MR. O.P. SHARMA, MEMBER (A).

Applicant B.L. Tank has filed this application u/s 19 of the Administrative Tribunals Act, 1985, praying that the respondent department may be directed not to convene the regular DPC which is likely to be held on 21.7.93 for promotion to the post of Income Tax Inspectors, till the decision of this petition or framing of the new rules for promotion of Income Tax Inspectors, which are under consideration before the respondent department. He has further prayed that in case holding of the DPC is not stayed, the respondent department may be directed not to promote officials who are junior to the applicant and who are likely to be considered for promotion on account of the earlier passing of the departmental examination.

2. None is present on behalf of the applicant. He was not present on the preceding date also. We have heard the learned counsel for the respondents.

3. The learned counsel for the respondents has drawn our attention to para 6 (xv) of the reply filed on behalf of the respondents, in which it has been stated that the DPC has already been convened on 5.8.93. The learned counsel for the respondents has further stated before us that as a result of

the deliberations of the DPC promotions have also been made. He has, therefore, stated that the application has become infructuous.

4. We find that no interim relief was granted in this case. Since the DPC has already been held and promotions have also already been effected as a result of the deliberations of the DPC, we are of the view that this application is not maintainable now. It is accordingly dismissed at the admission stage, with no order as to costs.

(O.P. SHARMA)
MEMBER (A)

G.Krishna
(GOPAL KRISHNA)
MEMBER (J)