

**CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH,
JABALPUR**

Original Application No. 774 of 2004

Jabalpur, this the 3rd day of August, 2005

Hon'ble Shri M.P. Singh, Vice Chairman
Hon'ble Shri Madan Mohan, Judicial Member

Prahlad Baliram Rahdeya,
S/o. Shri Baliram, aged about 36 years,
Pointsman, B-Grade, Central Raiwal,
Parasia, District – Chhindwara (MP). Applicant

(By Advocate –None)

V e r s u s

1. Union of India.
Through : its General Manager,
Central Railways, Chhatrapati Shivaji
Terminal, Mumbai.
2. The Divisional Railway Manager
(Operating), Central Railways,
CST, Mumbai.
3. Assistant Divisional Manager
(Operating), Central Railways,
Nagpur (MS).
4. Divisional Railway Manager (P),
Central Railways, Nagpur (MS).
5. The Superintendent of Police,
Betul. Respondents

(By Advocate –Shri M.N. Banerjee)

O R D E R (Oral)

Bv M.P. Singh, Vice Chairman –

Since it is a case of 2004, we proceed to dispose of this Original Application by invoking the provisions of Rule 15 of CAT (Procedure) Rules, 1987. Heard the learned counsel for the respondents.

2. During the course of argument the learned counsel for the respondents has submitted that this Original Application has become infructuous as the reliefs claimed by the applicant has already been granted to him by the respondents.

3. By filing this Original Application the applicant has claimed the following main reliefs :

"(2) to set aside the impugned order/notice dated 1.9.2004 (Annexure A-3) terminating the services of the applicant,

(3) to command the respondents to continue the applicant in service on the post of Pointsman Grade-B at Parasia under the respondent No. 3."

4. We find that the reliefs claimed by the applicant are to set aside the order dated 1st September, 2004 and to further direct the respondents to continue the applicant in service on the post of Pointsman Grade-B. Our attention was drawn by the learned counsel for the respondents towards paragraph 2 of the reply filed by them. We further find that in this paragraph 2 of the reply filed by the respondents, they have stated that during the pendency of this Original Application the termination notice dated 1st September, 2004 has been cancelled and the applicant has been taken back on duty. This fact is not controverted by the applicant by filing any rejoinder.

5. In view of the fact that the reliefs claimed by the applicant have already been granted to him by the respondents, this Original Application has become infructuous and is accordingly, dismissed as infructuous.

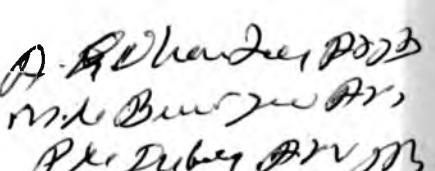

(Madan Mohan)
Judicial Member

"SA"


(M.P. Singh)
Vice Chairman

राजांकन सं. ओ/ला. जबलपुर. दि.
एकान्तरित दाना दिना-
(1) सरपिंड, जबलपुर राजस्थान, जबलपुर
(2) गोमेश शी/मी. दि. के लाभस्त
(3) प्रत्यक्षी शी/मी. दि. के लाभस्त
(4) वायपाल, के प्रभ, जबलपुर व्यापारी
सूचना एवं आवश्यक कार्यवाही के लिए
..... दि. उप रजिस्ट्रार


9/9/05


P. B. Dube, P.P.C.
M. B. Dube, P.P.C.
P. B. Dube, P.P.C.