

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH

CIRCUIT COURT SITTING AT INDORE

Original Application No. 56 of 2003

Indore, this the 6th day of January, 2005

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

Smt. C. John, Retired Office
Superintendent, Divisional Rail
Manager's Office, Central Railway,
Bhopal Quarter No. 412/D-3, Denish
Nagar, Hoshangabad Road, Bhopal (MP). Applicant

(By Advocate - Shri A.N. Bhatt)

V e r s u s

Union of India represented by :-

1. The General Manager,
Central Railway, Chhtrapati
Shivaji Terminus, Mumbai.
2. The Divisional Rail Manager,
Central Railway, Divisional
Office - Bhopal. Respondents

(By Advocate - Shri Y.I. Mehta)

O R D E R (Oral)

By M.P. Singh, Vice Chairman -

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

"(i) the letter of compulsory retirement inflicted
under Office Order bearing No. BPL/P/Conf/PR/Per/9
dated 5.6.2000 may kindly be set aside and quashed,
(ii) the orders may kindly be passed for reinstatement
of the applicant with all consequential benefits,
(iii) the blamish record created by the authorities
be expunged being baseless,
(iv) wages for the period from compulsory retirement
date to till re-instatement may kindly be ordered to be
paid to the applicant;"

2. The brief facts of the case are that the applicant
was working as Office Superintendent in Personnel Branch of
Bhopal Division of the Central Railway. While working as
such, the respondent No. 1 issued an order dated 5.6.2000
by which the applicant was issued a notice of compulsory
retirement under Rule 2046 (FR 56). The main relief claimed

by the applicant is for quashing of the order of compulsory retirement and for expunction of adverse remarks as well as reinstatement in service. The learned counsel for the applicant has submitted that since the applicant has expired on 6.11.2004 the reliefs claimed in this OA for expunction of adverse remarks and reinstatement in service does not arise. The copy of the death certificate produced by him is taken on record.

3. We have heard the learned counsel of parties. We find that the applicant has already put in 37 years of service. She has got full retirement benefits including pension and gratuity. As regards the relief claimed by her, for her reinstatement in service, and expunction of adverse remarks, these cannot be considered at this stage as the applicant is no more. In this view of the matter, the OA has become infructuous and is accordingly dismissed. No costs.

(Madan Mohan)
Judicial Member

(M.P.Singh)
Vice Chairman

rkv.

प्रांगण सं ओ/ज्ञ
प्रतिविधि बोर्ड नियम
(1) राज्य उच्च न्यायालय एवं उच्च न्यायालय, जबलपुर, दि.....
(2) आदेदक श्री/श्रीमती/रु.....के काउंसल
(3) उच्ची वी/वीमती/रु.....के काउंसल
(4) विधायक, लोकसभा, जबलपुर व्याख्यात
सूचना एवं आवश्यक कार्यवाही हेतु

Dr. Bhatt Dr. Ratlam
1-1 March 2005
R.D.
उप रजिस्ट्रार

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