

(3)

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 491 of 2000

Jabalpur, this the 20th day of February, 2004

Hon'ble Shri M.P. Singh, Vice Chairman
Hon'ble Shri G. Shanthappa, Judicial Member

Hira Lal Yadav, Son of Late
Gokul Pd. Yadav, Working as
UDC in Gun Carriage Factory,
Jabalpur.

... **Applicant**

(By Advocate - Shri S.P. Tripathi)

V e r s u s

1. Union of India, Through
Secretary, Ministry of Defence,
Sough Block, New Delhi-110011.
2. The Director General of Ordnance
Factories, Min. of Defence,
Ordnance Factory Board, 10-A,
Auckland Road, Calcutta-700 001.
3. The General Manager, Gun
Carriage Factory, Jabalpur.
4. Principal Controller of
Accounts (Fys.), 10-A, Auckland
Road, Calcutta - 700 001.

... **Respondents**

(By Advocate - Shri S.C. Sharma through Shri Harshit Patel)

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 :

"(a) to quash the impugned Factory Order Part II
No. 1968 dated 23.6.98, Annexed as A-1, and order
dt. 5.11.99 Annexed as A-12.

(b) to direct the respondent No. 3 to restore the
basic pay of the applicant at Rs. 4800/- as
existed on 1.7.1998 as per pay slip of Jul 1998
annexed as A-4.

(c) to direct the respondent No. 3 to grant annual
increment of Rs. 100/- which fell due on 1.8.98.

(d) to direct the respondent to pay the amount
already recovered by way of reduction in basic
pay as a result of their impugned Factory Order
Part No. 1968 dated 13.6.98 (A-1) alongwith market
rate of interest."

2. Heard the learned counsel for the applicant and the respondents.

3. The learned counsel for the respondents states that the respondents have passed fresh orders, whereby the pay of the applicant which was reduced by the orders under challenge has been restored. Therefore the reliefs claimed by the applicant has been granted by the respondents. Hence the OA does not survive ^{as it has become infructuous} and is liable to be dismissed as infructuous.

4. In view of the aforesaid submission of the learned counsel for the respondents, we find that the reliefs claimed by the applicant has been granted by the respondents and the OA has become infructuous. Accordingly, the Original Application is dismissed as infructuous. However, the applicant is granted liberty to approach this Tribunal if he still feels aggrieved and so advised. No costs.

G. Shanthappa
(G. Shanthappa)
Judicial Member

M.P. Singh
(M.P. Singh)
Vice Chairman

"SA"

भूतगत से ओ/ज्या.....नवम्बर, दि.....

परिचय के लिए प्रस्तुत है:-

(1) राज. प्र. सं. १०००/१९७९, दि. १०/११/७९

(2) राज. प्र. सं. १०००/१९७९, दि. १०/११/७९

(3) राज. प्र. सं. १०००/१९७९, दि. १०/११/७९

(4) राज. प्र. सं. १०००/१९७९, दि. १०/११/७९

सूचना के अनुसार कार्यवाही हेतु

Bayunolaz
उप निरीक्षक १७/३/०५

S P Tripathi
SE Sharma

Dismissed
5/3/04