

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 491 of 2008

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
DOC 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 relief claimed by the applicant has been granted by the respondents. as it has become infructuous
Hence the OA does not survive 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 relief 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"

मृत्युदण्ड सं. श्री/ज्ञा. जवलपुर, दि.
संविधान सभा विभाग

- (1) दूर्लभ विवरण विवरण विवरण विवरण
- (2) दूर्लभ विवरण विवरण विवरण विवरण
- (3) दूर्लभ विवरण विवरण विवरण विवरण
- (4) दूर्लभ विवरण विवरण विवरण विवरण

मृत्युदण्ड संचालन विभाग

S P Tripathi
S P Sharma

Binod Kumar
उप सचिव अ/ ३/०४

Yasir
अ/ ३/०४