

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

JAIPUR BENCH, JAIPUR

Jaipur, the December, 22nd 2006

ORIGINAL APPLICATION NO. 407/2005

With MA No. 309/2005

CORAM:

HON'BLE MR. M.L. CHAUHAN, MEMBER (JUDICIAL)

HON'BLE MR. J.P. SHUKLA, MEMBER (ADMINISTRATIVE)

Mahaveer Bairagi son of Shri Motilal Bairagi, by caste Bairagi, aged about 26 years, resident of Village "Dei", Tehsil Nainwa, District Bundi. Presently as terminated E.D. from the post of E.D. BPM Bhagneri, Tehsil Nainwa, District Bundi.

By Advocate: Mr. P.N. Jatti.

....Applicant

Versus

- 1 Union of India through the Secretary to the Govt. of India, Ministry of Communication, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
- 2 The Principal Chief Post Master General, Rajasthan Circle, Jaipur.
- 3 The Superintendent Post Office, Tonk, Division Tonk.

By Advocate: Mr. Gaurav Jain

....Respondents.

ORDER (ORAL)

The applicant has filed this OA thereby praying for the following reliefs:-


- (i) That by a suitable Writ/order of the direction the impugned order dated 01.08.2005 (Annexure A/1), order dated 17.02.2003 (Annexure A/2) and order dated 13.10.2003 (Annexure A/3) be quashed and set aside and further the respondents be directed to hand over the charge of the E.D. BPM Bhagneri to the applicant and the applicant be treated as ED


- (ii) BPM continuously with effect from 05.12.2001 and all the consequential benefits be paid to the applicant till the date.
Any other relief which the Hon'ble Bench deems fit.

2 Notice of this OA was given to the respondents. The respondents have filed their reply. In the reply, the respondents have opposed the claim of the applicant. Learned counsel for the respondents has brought to our notice a copy of the order dated 23.11.2006 whereby a copy of the order dated 25.07.2006 has been annexed. Perusal of these orders reveals that the applicant has been given appointment as Group 'D' employee against a vacant post in the pay scale of Rs.2550-3200/-. Copies of these orders are taken on record.

3 In view of this subsequent development, the present OA does not survive for consideration, which is accordingly disposed of as having become infructuous. No order as to costs.

4. In view of the order passed in the OA, no order is required to be passed in MA No. 309/2005 for condonation of delay in filing the OA, which is also accordingly disposed of.


(J.P. SHUKLA)
MEMBER (A)


(M.L. CHAUHAN)
MEMBER (J)

AHQ