

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

JAIPUR BENCH, JAIPUR

Jaipur, the 22<sup>nd</sup> November, 2006

**ORIGINAL APPLICATION NO. 421/2005**

CORAM:

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

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

Neeraj Bhagat son of Shri Hazari Lal Bhagat, aged about 34 years, resident of 58, Shanti Kunj, Alwar. At present working on the post of Transmission Executive (TREX), All India Radio, Alwar.

By Advocate: Mr. Dinesh Sharma Proxy to Mr. Prahlad Singh

...Applicant

Versus

- 1 The Union of India through Secretary to the Government of India, Ministry of Information and Broadcasting, Shastri Bhawan, New Delhi.
- 2 Prasar Bharti Broadcasting Corporation through its Chief Executive Officer, Press Trust of India Building, Sansad Marg, New Delhi.
- 3 The Director General, All India Radio, Sansad Marg, New Delhi.
- 4 The Station Director, All India Radio, Jaipur.

By Advocate : Mr. T.P. Sharma

....Respondents.

ORDER (ORAL)

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

- i) This OA may kindly be allowed and by an appropriate order or direction the impugned seniority lists dated 27.4.2005 and 25.7.2005 may kindly be declared to be illegal and the same may be quashed and set aside and it may be declared that the applicant is entitled for seniority in the cadre of Trex on the basis of his date of regular recruitment on the said post i.e. 21.2.1994. The respondents be further directed to modify the seniority lists accordingly or issue fresh seniority lists assigning the applicant's seniority position as prayed above. The respondents be further directed to consider the case of the applicant for promotion on the post of Pex taking into consideration his entire service as qualifying service from 21.2.1994 with all consequential benefits to him.
- ii) Any other appropriate order or direction which this Hon'ble Tribunal may deem just and proper in the facts and circumstances of the case may also kindly be passed in favour of the applicant.
- iii) Cost of this Original Application may also kindly be awarded in favour of the applicant."

2 The dispute in this case is regarding seniority of Trex. Notice of this application was given to the respondents. The respondents have filed their reply thereby opposing the claim of the applicant. However, during the pendency of this OA, learned counsel for the respondents has brought to our notice through an MA thereby annexing copy of the order dated 26.10.2006. It has been stated in the said order that the grievance of the applicant has been settled and his position in the new eligibility list has been upgraded at Sl. No. 899 from Sl. No. 1205 of previous list. The Registry is directed to register this MA. This MA is allowed. The documents annexed with this MA shall form part of this OA.

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3 In view of this subsequent development, we are of the view that the present OA does not survive~~s~~ and it is accordingly disposed of. Needless to add that if the applicant is still aggrieved by the fresh order dated 26.10.2006, it will be open for him to re-agitate the matter again and disposal of this OA will not come in his way.

4 With these observations, the OA is disposed of with no order as to costs.

  
(J.P. SHUKLA)

MEMBER (A)

  
(M.L. CHAUHAN)

MEMBER (J)

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