

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORDERS OF THE BENCH

Date of Order: 30.11.2012

OA No. 271/2009

Mr. Punit Singhvi, proxy counsel for
Mr. R.N. Mathur, Senior Advocate, for applicants.
Mr. G.K. Garg, Senior Advocate, assisted by
Ms. Anita Aggarwal, counsel for intervener.
Mr. Mukesh Agarwal, counsel for respondent nos. 1 & 3.
Mr. V.D. Sharma, counsel for respondent no. 2.
None present for respondent no. 4.

Heard learned counsels for the parties.

Original Application is disposed of by a separate order
on the separate sheets for the reasons recorded therein.

Anil Kumar
(ANIL KUMAR)
MEMBER (A)

K.S. Rathore
(JUSTICE K.S. RATHORE)
MEMBER (J)

Kumawat

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR**

ORIGINAL APPLICATION NO. 271/2009

DATE OF ORDER: 30.11.2012

CORAM

HON'BLE MR. JUSTICE K.S. RATHORE, JUDICIAL MEMBER
HON'BLE MR. ANIL KUMAR, ADMINISTRATIVE MEMBER

1. M.M. Joshi S/o Shri B.L. Joshi, aged about 56 years, R/o Plot No. 80, Nemi Sagar Colony, Vaishali Nagar, Jaipur.
2. G.K. Tiwari S/o Shri Rama Shankar Tiwari, aged about 59 years, R/o 1/7, Todarmal Marg, Ajmer.
3. O.P. Harsh S/o Shri Manak Chand Harsh, aged about 61 years, R/o II/7, Gandhinagar, Jaipur.
4. O.P. Saharan S/o late Shri Surta Ram Saharan, aged about 59 years, R/o Plot No. 94/51, Gokhle Marg, Agarwal Farm, Mansarovar, Jaipur.

...Applicants

5. Ajay Singh Chittora S/o late Shri Sher Singh Chittora R/o Chittora House, Devi Marg, Bani Park, Jaipur.

...Intervener.

Mr. Punit Singhvi, proxy counsel for
Mr. R.N. Mathur, Senior Advocate, for applicants.

Mr. G.K. Garg, Senior Advocate, assisted by
Ms. Anita Aggarwal, counsel for intervener.

VERSUS

1. The Union of India through Secretary, Department of Personnel and Public Grievances and Pensions, Department of Personnel and Training, North Block, New Delhi - 110 011.
2. The State of Rajasthan through the Secretary, Department of Personnel, Government of Rajasthan, Government Secretariat, Jaipur.
3. The Union Public Service Commission through Secretary, Union Public Service Commission, Copernicus Marg, New Delhi.
4. M.S. Kala S/o Shri K.K. Kala, aged about 50 years, R/o 80, Keshav Vihar, Gopalpura Bypass, Jaipur.

...Respondents

Mr. Mukesh Agarwal, counsel for respondent nos. 1 & 3.
Mr. V.D. Sharma, counsel for respondent no. 2.
None present for respondent no. 4.

ORDER (ORAL)

Heard learned counsels appearing for the respective parties.

2. It is not disputed that the applicant nos. 1 to 4 have attained the age of superannuation during the pendency of this

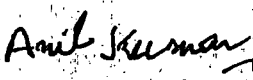


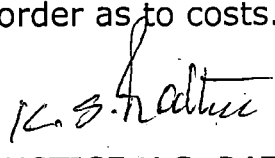
Original Application. As such, so far as the case of the applicants is concerned, this Original Application has become infructuous. However, it is made clear that if any grievance(s) still remains, the applicants are given liberty to file substantive Original Application as per rules.

3. Further, the case of Ajay Singh Chittora, is concerned, he was permitted as intervener only in the matter by this Bench of the Tribunal vide order dated 19.09.2011 in MA No. 273/2011 for assisting the court. Therefore, he cannot pursue the present Original Application more as he was not transposed in the matter as applicant. However, in the interest of justice, we grant him liberty to file fresh Original Application for redressing his grievance(s), if any.

4. In such eventuality, if the applicant(s) as well as intervener feel any urgency in the matter, they may request the Tribunal for early disposal of the O.A. Further, since Shri Mukesh Agarwal, Senior Central Government Standing Counsel, is representing the Union of India as well as Union Public Service Commission, and Shri V.D. Sharma, Advocate, is representing the State of Rajasthan, request may be made by the applicant(s) as well as intervener for serving notice / paper book upon the respective counsels for the respondents.

5. With the above observations, the present Original Application stands disposed of with no order as to costs.


(ANIL KUMAR)
MEMBER (A)


(JUSTICE K.S. RATHORE)
MEMBER (J)