

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH

Jaipur, this the 04th day of April, 2011

ORIGINAL APPLICATION NO. 243/2010

CORAM

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

Chandan Chakraborty son of Late Shri P Chakraborty age about 50 years, resident of 90/118, Mansarovar, Jaipur. Presently posted in the office of Central Board of Direct Taxes, Near Statue Circle, Near Central Revenue Building, Jaipur as Zonal Accounts Officer.

.....Applicant

(By Advocate: Mr. C.B. Sharma)

VERSUS

1. Union of India through the Controller General of Accounts, Ministry of Finance, 7th Floor, Lok Nayak Bhawan, Khan Market, New Delhi.
2. Principal Chief Controller of Accounts, Central Board of Direct Taxes, 7th Floor, Lok Nayak, Khan Market, New Delhi.
3. Controller of Accounts, Office of Principal Chief Controller of Accounts, Central Board of Direct Taxes, 7th Floor, Lok Nayak, Khan Market, New Delhi.
4. Senior Accounts Officer, Administration Office of Principal Chief Controller of Accounts, Central Board of Direct Taxes, 7th Floor, Lok Nayak, Khan Market, New Delhi.
5. Mr. A.V. James, Senior Accounts Officer, O/o Zonal Accounts Office, CBDT, New Central Revenue Building, Statue Circle, Jaipur.

.....Respondents

(By Advocates: Mr. Mukesh Agarwal)

ORDER (ORAL)

By way of this OA, the applicant has prayed for the following reliefs:-

- “(1) The order dated 29.4.2010 Annexure A/1 in relation to the applicant for nominating his name for training at NIFM, Faridabad be quashed and set aside as the representation filed by the applicant in pursuance of the order dated



16.4.2010 had not been decided by the respondents by speaking and reasoned order.

- (2) The official respondents be directed to allow the applicant to hold the post of Zonal Accounts Officer in the Zonal Accounts Office, CBDT, Jaipur and the order dated 18.3.2010 be further also quashed.
- (3) If any prejudicial order, passed during the pendency of the Original application it may be taken on record and further be quashed and set aside.
- (4) Any other order or direction, which the court deem fit and proper in the facts and circumstances of the case may also be passed in favour of the applicant.
- (5) That the cost of the Application be quantified to the applicant from the respondents."

2. During the course of arguments, learned counsel for the respondents submits that the present OA has become infructuous as the applicant has already handed over the charge to Mr. A.V. James, Sr. A.O. as per order dated 27.03.2010 (Annexure A/4) and vide order dated 29.04.2010 (Annexure A/1), he has been relieved for training on 10.05.2010 and now such training has been completed.

3. The facts, as mentioned by the learned counsel for the respondents, has not been disputed by the learned counsel for the applicant as the applicant has already been relieved for training but submitted that the applicant has not been permitted to join the training. Be that as it may, the relief claimed by the applicant for nominating his name for training at NIFM, Faridabad be quashed and set aside is concerned, this relief has become infructuous as the applicant has already been relieved for training and such training has already been completed.

4. In view of the submission made by the learned counsel for the respondents and the relief claimed by the applicant, the present OA



has become infructuous. Accordingly, the present OA is dismissed as having become infructuous.

Anil Kumar

(ANIL KUMAR)
MEMBER (A)

12.8. Rathore

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

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