

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

13

ORDERS OF THE BENCH

29.07.2011

OA No. 423/2010 with MA 278/2010

Mr. Anand Swaroop, Proxy counsel for
Mr. Y.C. Sharma, Counsel for applicant.
Mr. Mukesh Agarwal, Counsel for respondents.

On the request of the proxy counsel appearing on
behalf of the applicant, put up for hearing on 30.08.2011.

Anil Kumar
(ANIL KUMAR)
MEMBER (A)

K.S. Rathore
(Justice K.S. Rathore)
MEMBER (J)

AHQ

Sum
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30/08/2011

OA 423/2010 with MA 278/2010

Mr. Y.C. Sharma, Counsel for applicant.
Mr. Mukesh Agarwal, Counsel for respondents.

Heard.

The O.A. and M.A. are disposed
of by a separate order on the separate
sheets for the reasons recorded therein.

Anil Kumar

[Anil Kumar]
Member (A)

Sum

K.S. Rathore
[Justice K.S. Rathore]
Member (J)

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR**

**ORIGINAL APPLICATION NO. 423/2010
WITH
MISC. APPLICATION NO. 278/2010**

Date of Order: 30.08.2011

CORAM:

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

1. Krishna Maheshwari S/o Shri Sohan Lal, age 40 years, Executive Engineer (Civil), Central Public Works Department, Ajmer, R/o Badwali Kothi Civil Lines, Ajmer.
2. D.K. Ujjania, age 44, Executive Engineer (Civil), Central Public Works Department, Jaipur, R/o Type-4/45 Nirman Vihar-II, Sector-2, Vidhya Dhar Nagar, Jaipur.
3. P.K. Agarwal, age 41, S/o Sh. V.K. Agarwal, Executive Engineer (Civil), Central Public Works Department, Jaipur, R/o Quarter No. 19 Nirman Vihar-II, Sector-2, Vidhya Dhar Nagar, Jaipur.
4. S.K. Dak, age 40 S/o Shri Jawan Mal Dak, Executive Engineer (Civil), Central Public Works Department, Jaipur.
5. Jitendra Meena, age 40 years, S/o Shri R.K. Meena, Executive Engineer (Civil), Central Public Works Department, R/o 1094 Kishan Marg, Brakat Nagar, Tonk Phatak, Jaipur.

...Applicants.

Mr. Y.C. Sharma, counsel for applicants.

- Versus -

Union of India through:

1. The Secretary, Ministry of Urban Development, Nirman Bhawan, New Delhi - 110 001.
2. The Secretary, Department of Personnel & Training, North Block, New Delhi.
3. D.G. (Works), Central Public Works Department, Nirman Bhawan, Delhi - 110 001.
4. The Chairman, Union Public Service Commission, Dholpur House, Shajahan Road, New Delhi.

...Respondents

Mr. Mukesh Agarwal, counsel for respondents.

ORDER (ORAL)

The present Original Application has been preferred by the applicant seeking the relief for direction to the respondents not



to promote/upgrade the officers promoted vide order dated 03.11.1999 by holding the meeting of the Screening Committee.

2. It is not disputed by the respective parties that during the pendency of the Original Application, the DPC is convened and the promotions are already given to effect. The learned counsel appearing for the respondents submits that in view of this fact, this Original Application has become infructuous, whereas the learned counsel appearing for the applicant submits that he may be given liberty to approach this Tribunal again, if any, junior(s) to the applicants is promoted by the Screening Committee.

3. Having considered the submissions made on behalf of the respective parties, it is not disputed that during the pendency of the Original Application, the promotions have been made by the respondents, and as such this Original Application has become infructuous. If any prejudicial order(s) against the applicants has been passed by the respondents, and still they are aggrieved, they are at liberty to challenge the same by way of filing the substantive Original Application.

4. With these observations, this Original Application stands disposed of. Consequently, the Misc. Application is also disposed of. No order as to costs.

Anil Kumar

(ANIL KUMAR)
MEMBER (ADMINISTRATIVE)

K.S. Rathore

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