

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

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ORDERS OF THE BENCH

Date of Order: 10.09.2012

OA No. 332/2011 with MA No. 251/2012

Mr. C.B. Sharma, counsel for applicant.
Mr. Anupam Agarwal, counsel for respondents.

MA No. 251/2012

Heard on the Misc. Application No. 251/2012 filed on behalf of the respondents praying for taking the reply to rejoinder on record of the O.A.

Having considered the submissions made on behalf of the respective parties, the Misc. Application stands allowed. Reply to rejoinder annexed along with the M.A. is taken on record of the O.A.

OA No. 332/2011

Heard learned counsels for the parties.

O.A. 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. 332/2011

DATE OF ORDER: 10.09.2012

CORAM

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

Mangi Lal S/o Shri Chunni Lal, aged about 35 years, R/o 584/27, Churiwali Gali, Kachawaha Bhawan, Ramganj, Ajmer, and presently working as Fitter Grade-I, under Senior Section Engineer, Carriage & Wagon (Coaching Department), North Western Railway, Ajmer.

...Applicant

Mr. C.B. Sharma, counsel for applicant.

VERSUS

1. Union of India through General Manager, North Western Zone, North Western Railway, Near Jawahar Circle, Jagatpura, Jaipur.
2. Divisional Railway Manager, North Western Railway, Ajmer Division, Ajmer.

... Respondents

Mr. Anupam Agarwal, counsel for respondents.

ORDER (ORAL)

Heard learned counsels appearing on behalf of the respective parties and carefully gone through the pleadings, reply, rejoinder, reply to rejoinder as well as documents available on record.

2. The main relief as prayed for by the applicant is that the respondents may be directed to allow him promotion to the cadre of Junior Engineer, Grade-II in the pay band Rs. 9300-34800 with grade pay Rs. 4200.



3. During the pendency of the present Original Application, the respondents have filed reply to the rejoinder, which has been taken on record of O.A. by allowing M.A. filed on behalf of the respondents. Along with the reply to rejoinder, the respondents have filed copies of certain letters/orders passed by the respondents. As per Annexure R/5 letter dated 27.01.2012, the applicant has been declared successful in the written examination held for the post of Junior Engineer, Grade-II, pay band Rs. 9300-34800 with grade pay Rs. 4200, and his name finds place at serial no. 3. Further, vide letter dated 10.05.2012 (Annexure R/6), the name of the applicant has been placed provisionally in the panel for selection on the post of Junior Engineer, Grade-II at serial no. 1 on the basis of his merit. It is also made clear in letter dated 10.05.2012 (Annexure R/6) that the panel shall be subject to the decision of the present OA No. 332/2011. Vide annexure R/7 order dated 25.08.2011, it is clear that the applicant requested to place his name in the panel and it was made clear that he may be informed that action on his application shall be taken as per order of C.A.T., Jaipur Bench in O.A. No. 332/2011. It is also not disputed that applicant has been sent for training for the post of Junior Engineer Grade-II.

4. It is admitted fact that the respondents have considered the case of the applicant and he has been declared successful in the written examination vide letter dated 27.01.2012 (Annexure R/5) and further his name has been placed provisionally in the panel at serial no. 1 prepared by the respondents for selection for the post of Junior Engineer Grade-II vide letter dated



10.05.2012 (Annexure R/6), and he has also been sent for training. In view of this fact, we are of the view that the relief claimed by the applicant has been granted at the level of the respondents, as such, the O.A. has become infructuous.

5. In view of the above, the Original Application stands dismissed as having become infructuous. There shall be no order as to costs.

Anil Kumar
(ANIL KUMAR)
MEMBER (A)

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

kumawat