

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORDERS OF THE BENCH

Date of Order: 17.07.2012

OA No. 477/2011

Mr. Anoop Agarwal, counsel for applicant.
Mr. V.S. Gurjar, counsel for respondents.

It appears that this is the second round of litigation. Earlier, the applicant has filed OA No. 447/2011, and while deciding the same vide order dated 30.09.2011, this Bench of the Tribunal directed the applicant to file a representation within a period of 15 days and after receipt of the representation, the respondents shall consider the same in accordance with the provision of law and shall pass a speaking order as to why the applicant was not given appointment on the post of Assistant Loco Pilot. It was further made clear that this exercise should be completed within a period of two months after the receipt of representation from the applicant.

It appears that the order was passed by this Bench of the Tribunal on 30.09.2011 and the applicant has filed the present OA on 17.10.2011 i.e. prior to the stipulated time as has been directed by this Bench of the Tribunal vide order dated 30.09.2011.

Be that as it may, learned counsel appearing for the respondents submits that the respondents have now decided the representation filed by the applicant in view of the directions issued by this Bench of the Tribunal. It is also not disputed by the learned counsel for the applicant that fresh panel of the Assistant Loco Pilot has been issued by the respondents.

In view of the above, the applicant is at liberty to challenge the decision taken by the respondents on the representation as well as the fresh panel of the Assistant Loco Pilot by way of filing the substantive OA.

Consequently, the present Original Application has become infructuous, and the same is hereby dismissed as having become infructuous with liberty to the applicant to file substantive Original Application to redress his grievances.

Anil Kumar
(ANIL KUMAR)
MEMBER (A)

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