

**Central Administrative Tribunal
Principal Bench**

**OA No.714/2013
MA No.788/2014**

New Delhi, this the 30th day of January, 2018

**Hon'ble Mr. V. Ajay Kumar, Member (J)
Hon'ble Ms. Nita Chowdhury, Member (A)**

Shri Sunil Parasar,
S/o Shri J.P. Sharma,
R/o Qr. No.T-99/B,
Loco Railway Colony,
Delhi Kishan Ganj,
Delhi.

...Applicant

(By Advocate : Shri Lalata Prasad)

Versus

1. The Chairman,
Railway Board,
Ministry of Railway,
Rail Bhawan, New Delhi.
2. The General Manager,
West Central Railway,
Jabalpur.
3. The Divisional Railway Manager,
Kota,
West Central Railway.
4. The Senior Divisional Electrical Engineer,
Electrical Loco Shed,
Tughlakabad,
New Delhi.

...Respondents

(By Advocate : Shri Shailendra Tiwary)

ORDER (ORAL)

Mr. V. Ajay Kumar, Member (J) :-

Heard both sides.

2. The MA No.788/2014 filed for amendment of the prayer seeking for upgradation in the ACP cannot be entertained as the said relief is completely different and distinct to the reliefs claimed in the instant OA. Accordingly, the MA is dismissed, however, with liberty to the applicant to avail his remedies, in accordance with law, with regard to the relief in the MA.

3. The applicant has filed the instant OA seeking the benefit of ACP/MACP which was denied by the respondents by passing an order dated 23.07.2012. However, learned counsel for applicant submits that after the OA is filed, the respondents have promoted the applicant to the post of Senior Section Engineer. Since the ACP or MACP are to be granted to any of the employees in lieu of promotion only, and since the applicant already got promotion, the OA has become infructuous and the same is, accordingly, dismissed. No costs.

(Nita Chowdhury)
Member (A)

(V. Ajay Kumar)
Member (J)

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