

**Central Administrative Tribunal
Principal Bench**

OA No.1138/2015

New Delhi, this the 14th day of September, 2015

**Hon'ble Mr. Justice Syed Rafat Alam, Chairman
Hon'ble Mr. P. K. Basu, Member (A)**

Hem Chander
S/o Sh. Gopi Ram
Aged 56 years,
Sr. Library Attendant, Group-C,
R/o WZ-226, A-Block,
Sahid Chander Marg,
Gali No.3, Uttam Nagar,
New Delhi.

.... Applicant.

(By Advocate : Shri Shrigopal Aggarwal)

Versus

1. Union of India through
Secretary
M/o Consumer Affairs, Food & Public Distribution,
Department of Food & Public Distribution,
Krishi Bhavan,
New Delhi.
2. Union of India through
Secretary
Department of Personnel & Training,
Ministry of Personnel, Public Grievances & Pensions
North Block,
New Delhi.

.... Respondents.

(By Advocate : Shri C. Bheemanna)

: O R D E R (ORAL) :

Justice Syed Rafat Alam, Chairman :

In the instant Application under Section 19 of the Administrative Tribunals Act, 1985, the applicant has sought direction commanding the respondents to grant 2nd financial

upgradation in the pay scale of Rs.5000-8000 under the ACP Scheme w.e.f. 01.08.2008, revised in the pay band of Rs.9300-34800 with Grade Pay of Rs.4200/- as per the recommendations of the 6th Central Pay Commission w.e.f. 01.09.2008, and also for grant of 3rd financial upgradation in the pay band of Rs.9300-34800/- with Grade Pay of Rs.4600/- under MACP Scheme w.e.f. 01.08.2014.

2. At the outset, learned counsel for the applicant submitted that during pendency of this Application, the respondents have granted the aforesaid relief vide office order No.57/2015-E-II dated 19.06.2015 and, therefore, the cause of action in this Application no more survives. Learned counsel for the respondents also fairly submitted that now since the relief has been granted by the department vide the aforesaid office order, this Application has rendered infructuous and may be dismissed as such.

3. Since the 2nd and 3rd financial upgradation sought by the applicant has admittedly now been given during pendency of this Application, therefore, the main relief having been granted, this Application has lost its efficacy and no further order is required to be passed.

4. In view of the statements made on both sides, and also in view of the aforesaid office order dated 19.06.2015, this

Application stands dismissed as infructuous. The office order dated 19.06.2015 produced by learned counsel for the parties be kept on record.

(P. K. Basu)
Member (A)

(Syed Rafat Alam)
Chairman

/pj/