

**CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH**

No. OA 350/1313/2016

Date of order : 31.1.2018

Present: Hon'ble Ms. Manjula Das, Judicial Member

ANUP KUMAR NASKAR

Reduced in rank from LDC to Helper
Serving at – Branch MSME-DI,
RA-39, Urbashi Phase II,
Bengal Ambuja,
Tarashankar Sarani,
Durgapur – 713216.
R/o Matikol,
Nazrul SArani,
PO – Rabindranagar
Kolkata – 700065.

...APPLICANT

VERSUS

1. Union of India, through
The Secretary,
Ministry of Micro, Small &
Medium Enterprises (MSME)
Govt. of India,
Udyog Bhawa,
Rafi Marg,
New Delhi – 110108.
2. The Development Commissioner (MSME)
Ministry of MSME,
Govt. of India,
Nirman Bhawan,
7th Floor,
Maulana Azad Road,
New Delhi – 110108.
3. The Director,
MSME – Development Institute,
111 & 112, B.T.Road,
Kolkata – 700108.
4. The Deputy Director (In charge)
Branch MSME DI,
RA-39, Urbashi Phase II,
Bengal Ambuja,
Tarashankar Sarani,
Durgapur – 713216.
5. The Assistant Director (Admn)
MSME – Development Institute,
111 & 112 B.T.Road,
Kolkata – 700108.

...RESPONDENTS

For the applicant : None

For the respondents: Mr.B.P.Manna, counsel

O R D E R (ORAL)

Per Ms. Manjula Das, Judicial Member

None appeared on behalf of the applicant. Mr.B.P.Manna, 1d. Counsel appeared on behalf of the respondents and submits that the applicant has already got relief and as such nothing remains to proceed with the matter.

2. The applicant approached before this Tribunal in the present OA with a prayer for setting aside the order dated 25.5.2016 whereby the applicant was sought to be reverted from Lower Division Clerk to Helper from the retrospective date of 1.3.2007.

3. Today during the course of argument, Mr.Manna, 1d. Counsel for the respondents submitted that during the pendency of this Original Application, the department vide order dated 22.5.2017 restored the position of the applicant from Helper to Lower Division Clerk by rescinding the reversion order in favour of the applicant and restore his promotion to the post of Lower Division Clerk from that retrospective date i.e. 1.3.2007. He also submitted that the seniority of the applicant to the post of Helper in final seniority list at Sl. No.3 is treated cancelled and his seniority to the post of LDC as determined from this office on 1.4.2010 in LDC seniority list will continue for consequential benefits in future as per Govt. rules. Mr.Manna thus submitted that nothing remains to be adjudicated in this case.

3. In view of the above, the OA has become infructuous and is dismissed being infructuous. No order as to costs.

(MANJULA DAS)

JUDICIAL MEMBER

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