

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD  
BENCH, ALLAHABAD

(This the 20<sup>th</sup> Day of December 2018)

**Hon'ble Ms. Ajanta Dayalan, Member (A.)**  
**Hon'ble Mr. Rakesh Sagar Jain, Member (J)**

Original Application No.782 of 2013  
(U/S 19, Administrative Tribunal Act, 1985)

Krishna Kumar a/a 46 years, son of Shri Achhaibar, presently working as Helper Khalasi under S.S.E (Works) Northern Railway, Shahjahanpur.

..... Applicant

By Advocate: Shri N.P Singh/Shri Rakesh Dixit

Versus

1. Union of India through General Manager, Northern Railway, H.Q. Office, Baroda House, New Delhi.
2. Senior Deputy General Manager, Northern Railway, H.Q. Office, Baroda House, New Delhi.
3. Additional Divisional Railway Manager, Northern Railway, Moradabad.
4. Sr. D.E.N II, Northern Railway, DRM's Office, Moradabad.
5. Assistant Divisional Engineer, Northern Railway, Shahjahanpur.
6. Shri Surendra Singh, Inquiry Officer, Room No. 403, 4<sup>th</sup> Floor, DRM's Office, Northern Railway, New Delhi.

..... Respondents

By Advocate: Shri Anil Kumar

ORDER

**Delivered by Hon'ble Ms. Ajanta Dayalan, Member (A.)**

Heard Shri N.P Singh, learned counsel for the applicant and Shri Anil Kumar, learned counsel for the respondents.

2. The learned counsel for the respondents states that the O.A has become infructuous as in the O.A, he is challenging the appointment of Inquiry Officer and requested for change of Inquiry

Officer, whereas the enquiry has already been concluded and penalty order has been passed on 29.03.2016 which has also been challenged in the O.A. No. 1357 of 2016, which is still pending. He states that in view of averments, this OA has become infructuous.

2. The learned counsel for the applicant states that he is not in a position to confirm the averments made by learned counsel for the respondents as his client has not contacted him for last 2 years.

3. In view of the facts given by the learned counsel for the respondents and also the fact that one of the counsels for the applicant engaged as per our records has not been in touch for the applicant for last 2 years, we are satisfied that O.A. has become infructuous. The same is accordingly disposed of as infructuous. No costs.

**[Rakesh Sagar Jain]**  
Member-J

**[Ajanta Dayalan]**  
Member-A

**Manish/-**