

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

O.A. No.3238/2015

New Delhi this the 02nd day of January, 2019

HON'BLE MS. NITA CHOWDHURY, MEMBER (A)
HON'BLE MR. S.N. TERDAL, MEMBER (J)

Sub. Maj. Om Prakash Jat
Aged about 51 years
S/o Sh. Deep Chand
R/o 121, Flat GF-2, Bhartendu Nagar,
Khatai Pura, Jaipur, Rajasthan.

..... Applicant

(By Advocate: Mr. M.K.Bhardwaj)

Versus

Union of India & Ors through:

1. The Secretary,
Ministry of Defence
South Block, New Delhi.
2. Engineering-in-Chief
Rajaji Marg, Kashmir House
New Delhi.
3. The Commandant BEG and Centre
Roorkee, Uttarakhand -247667
4. The GE(A/F)
Air Force Station
56 APO (Pers)
E-IN-C Branch, Rajaji Marg, Kashmir House,
New Delhi.

-Respondents

(By Advocate: Mr.Gyanender Singh)

ORDER (ORAL)

Ms. Nita Chowdhury, Member (A):-

When the matter is taken up for hearing, learned counsel for the applicant informs that he has filed the OA seeking the following main relief(s):-

“(i) To direct the respondents to consider the applicant for appointment to the post of JE(E/M) by way of deputation cum re-employment against the available vacancies in the cadre of JE (E/M) with all consequential benefits including arrears of pay.

(ii) declare the action of the respondents in not considering the case of applicant for re-employment-cum-deputation quota as illegal.

(iii) to direct the respondents to prepare the merit list/select list of MES Militarized cadre for deputation -cum- RE-employment for the relevant year as per statutory rules.

(iv) To quash and set aside the impugned letter dated 15.04.2015 and declare the objection of the respondents regarding non submission of application before 01.03.2015 as illegal and unconstitutional.

(v) to pass such other and further orders which their lordships of this Hon'ble Tribunal deem fit and proper in the existing facts and circumstances of the case.

9, Interim relief

Pending final adjudication of the OA, it is most humbly prayed that this Hon'ble Tribunal may be pleased to direct the respondents to consider the application of the applicant for appointment under DCRE quota in the scheduled meeting in UPSC by 25th September, 2015. In case, the applicant is not granted aforesaid loss as he would retire before next selection without consideration of his claim for appointment under DCRE.”

2. Subsequent to the filing of this OA, as per the answer given by the respondents, it is clarified by them that application of the applicant is being

sent to E-in-C's Branch, Integrated Headquarters of Ministry of Defence (Army) for considering the case of the applicant for Deputation-cum-Re-employment.

3. After this clarification with regard to prayer I of this OA, learned counsel for the applicant informs that applicant is no longer in touch with him and nor has he any further directions in this matter.

4. A perusal of the Counter Affidavit indicates that the main issue in this OA was the prayer of the applicant for considering his case for re-employment under deputation -cum-re-employment quota

5. In view of the fact that the respondents have taken action on the said prayer 1 & 2 and the fact that applicant is no longer contacting his counsel for agitating his case, we find that the applicant has no further grievance in this matter and accordingly, the OA is dismissed as infructuous. No order as to costs.

(S. N. Terdal)
Member (J)

(Nita Chowdhury)
Member (A)