

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

O.A. No.2288 of 2013

This the 25th Day of April, 2019

Hon'ble Ms. Nita Chowdhury, Member (A)
Hon'ble Mr. S.N. Terdal, Member (J)

H.N. Sharma
S/o Sh. S.L. Sharma,
Hindi Officer (Retd.), Office of the Chief Executive Officer,
Prasar Bharti Secretariat, Parliament Street, New Delhi.
Permanent Address – Hoti Lal Ka Bara, Holigate,
Mathura (U.P.)

.... Applicant

(None for the applicant)

VERSUS

1. Union of India (Through:- The Secretary to the Govt. of India),
Ministry of Information & Broadcasting,
Shastri Bhawan, New Delhi.
2. The Secretary to the Govt. of India,
Ministry of Personnel, Public Grievances & Pensions,
(Deptt. of Personnel & Training),
North Block, New Delhi-110001.
3. The Secretary to the Govt. of India,
Ministry of Finance (Deptt. of Expenditure),
North Block, New Delhi-110001.
4. The Joint Secretary to the Govt. of India,
Ministry of Home Affairs, Official Language Department,
Lok Nayak Bhawan, Khan Market, New Delhi-110003.
5. The Chief Executive Officer,
Prasar Bharti Secretariat, P.T.I. Building,
Parliament Street, New Delhi.

..... Respondents

(By Advocate : Shri S.M. Arif)

O R D E R (Oral)

Ms. Nita Chowdhury, Member (A):

When this matter is taken up for hearing today, neither the applicant nor his counsel appeared. On the previous date of hearing, i.e., 23.4.2019 also, there was no appearance on behalf of the applicant. However, we had heard learned counsel for the respondents, who stated as under:-

“the relief asked for in this OA, which was the sanctioning of the benefits of the revision in pay scale of the post of Hindi Officer, has already been granted to him during the pendency of this OA vide Annexure R/4 in which his name finds mention as Item No.12.”

The applicant was given another opportunity to address the Tribunal before the matter is finally decided and this case was listed for hearing today under the caption ‘Part Heard Matters’. As such in above circumstances, we proceed to adjudicate this case by invoking the provisions of Rule 15 of CAT (Procedure) Rules, 1987 and accordingly heard learned counsel for the respondents.

2. By filing this OA, the applicant is seeking the following reliefs:-

- “(a) That Order dt. 05.04.2013 (**Annexure A-1**) passed by Respondent No.1, rejecting applicant’s representation dt. 04.03.2013 (**Annexure A-8**), may kindly be ordered to be quashed and set-aside by this Hon’ble Tribunal.
- (b) That the benefits of revision of the post of Hindi Officer as order vide Director General Order dt. 20.08.2009 (Annexure A-2), may be extended to the applicant as permissible under these orders.

- (c) That applicant be granted 2nd ACP, upgradation in the same manner as granted to the similarly situated employees of other Hindi Officers serving under subordinate offices of Govt. of India, ordered to be quashed and set-aside by this Hon'ble Tribunal.
- (d) Allow any other further relief which this Hon'ble Court may deem fit and proper in the circumstances of this case in order to meet the ends of justice.
- (e) Allow exemplary costs in favour of the aggrieved applicant for all along depriving him of these legitimate reliefs by the Respondents."

3. Today again, counsel for the respondents drawn out attention to their counter affidavit filed on 26.9.2014 in which they have annexed a copy of order dated 2.7.2013 (Annexure R-4) vide which Hindi Officers/Assistant Director (Official Language) who had been granted the pay scale of Rs.7500-12000/- (Pre-revised) under ACP Scheme prior to 1.1.2006 were granted the Grade Pay of Rs.6600/- in PB-3 w.e.f. 1.1.2006 and the name of the applicant is mentioned at serial No.12 in the said Order. He again reiterated that in view of the above, the present OA has become infructuous and the same is liable to be dismissed by this Tribunal.

4. We also find that the applicant has not filed any rejoinder to the counter affidavit filed by the respondents way back on 26.9.2014.

5. In view of the above and having regard to the submissions of the respondents, we are also of the view that

the present OA has become infructuous and the same is liable to be dismissed. Accordingly, the present OA is dismissed as having become infructuous. There shall be no order as to costs.

(S.N. Terdal)
Member (J)

(Nita Chowdhury)
Member (A)

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