

GAHC010102592019



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/6500/2019

RATNADEEP DUTTA ROY
SON OF MRINAL KANTI DUTTA ROY, PRESENTLY RESIDING AT B-402,
GOKUL DHAM APARTMENT, ANANDA NAGAR, PANDU PORT ROAD, P.S.-
JALUKBARI, DIST- KAMRUP(M), ASSAM.

VERSUS

THE UNION OF INDIA AND 3 ORS.
REPRESENTED BY THE SECRETARY TO THE GOVT. OF INDIA, MINISTRY
OF RAILWAYS, NEW DELHI- 110001.

2:THE GENERAL MANAGER
NF RAILWAY
MALIGAON
GUWAHATI- 781011
DSIT.- KAMRUP(M)
ASSAM.

3:THE FINANCIAL ADVISER AND CHIEF ACCOUNTS OFFICER
N.F. RAILWAY
MALIGAON
GUWAHATI
PIN- 781011
KAMRUP(METRO)
ASSAM.

4:THE DEPUTY CHIEF ACCOUNTS OFFICER
N.F. RAILWAY
MALIGAON
GUWAHATI
PIN- 781011
KAMRUP(METRO)

ASSAM

Advocate for the Petitioner : MR. A CHAMUAH

Advocate for the Respondent : SC, NF RLY

**BEFORE
HONOURABLE THE CHIEF JUSTICE
HONOURABLE MR. JUSTICE SUMAN SHYAM**

ORDER

Date : 14-03-2024

(Vijay Bishnoi, CJ)

This writ petition is filed by the petitioner challenging the judgment and order dated 12-04-2019 passed by the Central Administrative Tribunal (CAT), Guwahati Bench whereby the OA filed on behalf of the petitioner has been dismissed.

2. Essentially the petitioner has approached the CAT, Guwahati Bench being aggrieved by the action of the respondent on denying promotion to him on the next promotional post on the ground of registration of an FIR against him.

3. The learned counsel for the respondent has informed that in the said FIR the petitioner was put to trial and the competent criminal court has convicted and sentenced the petitioner vide order dated 20-07-2019. It is further submitted that pursuant to the said conviction order, the petitioner had compulsorily retired from service on 18-12-2019 and the said order of compulsory retirement of the petitioner has not been challenged by him till date.

4. Taking note of the consideration the fact that the petitioner has already been compulsorily retired and the said order has not been challenged by the petitioner, we are of the view that this writ petition challenging the validity of the impugned order passed by the CAT, Guwahati Bench is infructuous as much as no relief can be granted to the writ petitioner at this stage.

Hence, this writ petition is dismissed as infructuous.

JUDGE

CHIEF JUSTICE

GS

Comparing Assistant