

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

WRIT PETITION No.3232 of 2004

ORDER: (Per Hon'ble Sri Justice Sanjay Kumar)

This writ petition was filed by the Union of India and its Telecom authorities aggrieved by the order dated 30.04.2003 passed by the Central Administrative Tribunal, Hyderabad Bench, in O.A.No.641 of 2002. By the said order, the Tribunal set aside the orders passed by the petitioners herein for effecting recovery of the amount already paid to the respondents/applicants and further directed them to refund the amount already recovered.

No interim orders were granted by this Court staying the operation of the order under challenge. Further, by virtue of the order dated 19.04.2011 passed by this Court in relation to service of notice upon some of the unofficial respondents, the writ petition stands dismissed as against respondents 1, 7, 8, 15, 20 and 27. The question would therefore arise as to whether the order which is equally applicable to all the respondents/applicants can be held to be invalid in relation to some of them when it stands confirmed as against the respondents who now stand excluded from the writ petition by virtue of the dismissal thereof pursuant to the order dated 19.04.2011.

Sri B. Narasimha Sharma, learned counsel for the petitioners, would state that as no interim orders were granted by this Court, the order under challenge was given effect to by not only stopping further recovery pursuant to the orders impugned before the Tribunal but also refunding the amounts already recovered as directed by the Tribunal.

In the light of the aforestated developments, we are of the opinion that the issue in this writ petition has become stale and does not warrant adjudication on merits.

The writ petition is accordingly dismissed confirming the order dated 30.04.2003 passed by the Central Administrative Tribunal, Hyderabad Bench, in O.A.No.641 of 2002.

Pending miscellaneous petitions, if any, shall also stand dismissed.
No order as to costs.

SANJAY KUMAR, J

M. SEETHARAMA MURTI, J

29th September, 2016
IBL

