

Pradnya Bhogale

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 206 OF 2006

Union of India and Anr.

..Petitioners

vs.

Vinay Kumar Gupta

(Deceased through Legal Heirs)

1 a. Mrs. Ramola Gupta and Ors.

..Respondents

.....

Mrs. Anjali Helekar a/w Mr. Aniruddha A. Garge for Petitioners.

.....

**CORAM : NITIN JAMDAR &
M.S.KARNIK, JJ.**

DATE : 4 FEBRUARY 2020

P.C.:-

This Petition is pending for admission since it was once dismissed and thereafter restored. We have heard learned counsel for the Petitioners. In our opinion it is not necessary to keep the Writ Petition pending on the file. By the impugned order the Central Administrative Tribunal directed the Petitioner to consider the case of the Applicant-Respondent No.1 for promotion to the level of Surveyor of Works and also Senior Surveyor of Works as on the date when his juniors were considered irrespective of the date of his passing the final examination of the Institute of Surveyors (India).

2. Learned counsel for the Petitioners points out that when the order was passed by the Tribunal on 7 May 2004 the Respondent No.1 had already expired on 10 April 2004. A report called by this Court also indicates the said fact. In view of this position the impugned order has become unimplementable. Though heirs of the Respondents have been brought on record, none has appeared.

3. Observing as above, we dispose of the Writ Petition.

(M.S.KARNIK, J.)

(NITIN JAMDAR, J.)