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| Item-<br>2. | 18-04-2024 | FMA 651 of 2022<br>In<br>CAN 1 of 2022<br>CAN 2 of 2023 |
| sg          | Ct. 8      | Union of India & Ors.<br>Versus<br>Ravi Prakash         |

Mr. Pulakesh Bajpayee, Adv.  
Mr. Khusi Prasun Chatterjee, Adv.  
...for the appellants/UOI

1. The affidavit affirmed on 15<sup>th</sup> April, 2024 by Mr. Somnath Chakraborty, Assistant Security Commissioner, RPF at Chittaranjan Locomotive Works, filed in Court today is taken on record.
2. The said affidavit has disclosed the letter dated 27<sup>th</sup> May, 2023 showing compliance of the order passed by the learned Single Judge. The relevant portion of the said letter is reproduced below:

*“Accordingly a Spl. Supernumerary post is created to accommodate Sri Ravi Prakash at SCNL/RPF/CLW/CRJ, & the concerned staff has been directed to report at the office of IPF/SCNL/RPF/CLW/CRJ to give his daily attendance. He is performing duties of sedentary nature as and when required. The period from 09.05.2023 (F/N) to till date may be treated as waiting for order please.*

*In view of the above, it is requested to process the same for absorption of Sri Ravi Prakash in alternative post for charging of current & arrear salary onwards.”*

3. In view of the acceptance and compliance of the said order by the authorities concerned during the pendency of the appeal, it shall be presumed that the authorities are not

willing to proceed with the appeal. The affidavit filed on behalf of the authorities concerned has also indicated compliance of the said order.

4. The learned Counsel for the appellants has also submitted that because of the compliance of the order during the pendency of the appeal, the appeal may have lost its force.
5. Accordingly, the appeal stands disposed of by recording that the order of the learned Single Judge has been complied with unconditionally and without preserving any right in the appeal. However, there shall be no order as to costs.
6. In view of the disposal of the appeal, the connected applications also stand disposed of.
7. Urgent Photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

**(Soumen Sen, J.)**

**(Uday Kumar, J.)**