

**CENTRAL ADMINISTRATIVE TRIBUNAL  
PATNA BENCH  
CIRCUIT BENCH, RANCHI  
OA/050/00197/2019**

Date of Order: 23.01.2020

**C O R A M**  
**HON'BLE MR. DINESH SHARMA, ADMINISTRATIVE MEMBER**  
**HON'BLE MR. M.C. VERMA, JUDICIAL MEMBER**

Ranjan Kumar Pandey, aged 56 years, S/o Late Ravindra Prasad Pandey, aged 56 years, s/o Late Ravindra Prasad Pandey resident of Pani Tanki Road, Ward No. 25, PO & PS-Jhumritileya, District- Koderma.

.... Applicant

By Advocate: - Mr. M.A. Khan

-Versus-

1. Union of India through Director General, Ministry of Labour and Employment, 26, Man Singh Road, Jaiselmer House, New Delhi-110011.
2. Under Secretary, Ministry of Labour and Employment, 26, Man Singh Road, Jaiselmer House, new Delhi-110011.
3. Welfare Commissioner, Labour Welfare Organization, Shram Bhawan. P.O.-Hino, P.S.-Doranda, District- Ranchi-834002.
4. Welfare Commissioner, Labour Welfare Organisation, Karpuri Thakur Sadan, Kendriya Karyalaya Parisar, 5<sup>th</sup> Floor (D-Wing), Ashiana-Digha Road, patna-800025 (Bihar).
5. Assistant Welfare Commissioner, Labour Welfare Organisation, Karpuri Thakur Sadan, Kendriya Karyalaya Parisar, 5<sup>th</sup> Floor (D-Wing), Ashian-Digha Road, Patna-800025 (Bihar).
6. Shri Brijnandan Prasad, Pharmacist, Static Dispensary, PO & PS & District-Nawada.

.... Respondents.

By Advocate: - Mrs. Shweta Singh, ASC

**ORDER**  
**[ORAL]**

**Per M.C. Verma, J.M.:-** Instant OA has been preferred for seeking direction to the respondents to relieve the applicant from Central Hospital, Karma to enable him to join at Nawada.

2. The facts in nutshell as made out in the OA are that the applicant was working as Pharmacist at Central Hospital, Karma, said Hospital has been transferred to Government of Jharkhand, and hence, the Central Government

asked options from their employees and the applicant opted for Central Hospital which was accepted. Since the applicant's wife is working as Teacher with Govt. of Jharkhand and posted at Koderma and she is residing with her daughter alone, the applicant made a request for his transfer to a nearby place Nawada. That vide order dated 28.01.2019, the Under Secretary to the Govt. of India, Ministry of Labour and Employment, Director General Labour Welfare had issued transfer order in his favour and thereby he was transferred as Pharmacist, working at Central Hospital, Karma Labour Welfare Organization, Ranchi to Static Dispensary, Nawada Labour Welfare Organization, Patna with immediate effect. However, he has not been relieved to join at the transferred place. It is further contended that the Assistant Welfare Commissioner, LWO, Patna had issued Office Order No. 37 dated 25.01.2019 whereby one Shri Brijnandan Prasad has been transferred from SCMMU, Madhubani to Static Dispensary, Nawada and he resumed his duty. Under the circumstances, he has preferred the present OA and sought relief to quash and set aside the order dated 25.01.2019 and also prayed for interim relief that respondent no. 3 may be directed to relieve the applicant immediately for joining at Nawada under respondent no. 4. The official respondents have filed their reply and contested the matter.

4. The learned counsel for the applicant vehemently argued that the transfer order of respondent no. 6 is illegal and should be set aside. The said submission was disputed by the counsel for respondents. During hearing, it transpires that at present the applicant has been transferred from Karma to Chatra and he has joined the said post at Chatra.

5. Having taken note of the fact that the applicant has since been transferred to Chatra, he has been relieved from Karma and has already joined at Chatra also, the relief claimed for relieving from Karma has become infructuous. The applicant has also not assailed his transfer order from Karma to Chatra. Anyhow when the main relief claimed in the present OA has become infructuous, the OA does not survive and is dismissed accordingly. No costs.

**[M.C. Verma ]**  
**Judicial Member**

**[ Dinesh Sharma ]**  
**Administrative Member**

**Srk.**