

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

O.A. NO. 243/2001  
M.A. NO. 223/2001

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New Delhi this the 1st day of February, 2001.

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN

HON'BLE SHRI S.A.T.RIZVI, MEMBER (A)

1. Moolchand S/O Bhayya Lal
2. Seth S/O Sarian
3. Pustam S/O Rasika
4. Pancham Lal S/O Mohan Lal
5. Sripati S/O Kamla
6. Gyanchand S/O Pooran
7. Balak S/O Gorango ... Applicant  
(All working with the  
Headquarters at New Delhi  
C/O PWI Construction,  
Northern Railway, G.B.Road,  
New Delhi-110006).

( By Shri Anis Suhrawardy, Advocate )

-versus-

1. Union of India through  
General Manager, Northern Railway,  
Baroda House, New Delhi.
2. Chief Administrative Officer  
Construction, Northern Railway,  
Baroda House, New Delhi.
3. Deputy Chief Engineer,  
Construction, Northern Railway,  
State Entry Road,  
New Delhi.
4. Assistant Personnel Officer/  
Construction, Northern Railway,  
Kashmere Gate, Delhi.
5. Junior Engineer (C),  
Permanent Way Inspector,  
Northern Railway,  
Gate No.1, Ajmeri Gate,  
New Delhi. ... Respondents

O R D E R (ORAL)

Shri Justice Ashok Agarwal :

Applicants who were working as casual labourers

*[Handwritten signature]*

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had earlier been transferred from one sub division to another. Since their seniority was adversely affected by the aforesaid order of transfer, they had instituted OA No.1605/2000 which was disposed of by an order passed on 29.9.2000 whereby the right of the respondents to transfer was upheld. However, the impugned order was set aside inasmuch as the same adversely affected the seniority of applicants. The order gave liberty to the respondents to issue fresh orders of transfer without affecting their seniority.

2. By the impugned order now passed on 23/24.1.2001, services of applicants have been spared from the sub division where they were posted and they have been directed to report to their office for further posting orders. Aforesaid order is impugned in the present OA which OA is filed within a period of one week from the date of passing of the impugned order.

3. We have heard Shri Suhrawardy, the learned advocate appearing in support of the application and we find that no cause of action has arisen to file the present OA. Applicants have been directed to report to their own office for receiving posting orders. We do not see how applicants are aggrieved especially when the right of the respondents to transfer their services is not and cannot be challenged. Instead of reporting to their office for receiving posting orders, applicants have rushed to this Tribunal. In the circumstances, we do not find that any interference is called for.

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4. At this stage, the learned counsel seeks leave to withdraw the application. Present application is accordingly dismissed as withdrawn.

*S.A.T. Rizvi*

( S.A.T. Rizvi )  
Member (A)

*Ashok Agarwal*

( Ashok Agarwal )  
Chairman

/as/