

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

O.A.NO.1794/99

New Delhi, this the 18th day of February, 2000.

HON'BLE MR. JUSTICE V.RAJAGOPALA REDDY, V.C. (J)

Ghote Lal Nim, S/O Sh. Shyam Lal, R/O
215-A, T.T.M. Railway Colony,
Subedarganj, Allahabad.

.....Applicant.

(By Advocate: Sh. K.K.Patel)

VERSUS

1. Union of India through its Secretary, Ministry of Railway, Rail Bhawan, New Delhi.
2. Chairman, Railway Board Rail Bhawan, New Delhi.
3. General Manager, Northern Railway, Baroda House, New Delhi.
4. Chairman, Railway Recruitment Board, Northern Railway, Allahabad.
5. Shri S.S.Negi, S/O Shri Nar Dev, Railway Recruitment Board, Allahabad.

...Respondents.

(By Advocate: Sh. D.S.Jagotra & R.L.Dhawan)

O R D E R (ORAL)

This OA is filed against the impugned order passed by respondent No.4 on 11.6.98, transferring the applicant from the office of Railway Recruitment Board, Allahabad to the office of General Manager (P), Northern Railway, New Delhi.

2. In the counter affidavit, it is stated that all the non-gazetted staff working in the Railway Recruitment Board, must be repatriated to their parent Railway and fresh staff be posted in their place. Accordingly, the applicant has been posted back to Divisional Railway Manager Office, Allahabad. It is, therefore, stated by

[Signature]

(2)

the learned counsel for the respondents that the applicant's grievance does not survive. (B)

3. Learned counsel for the applicant, however, submits that as the applicant is being posted back at his own request, he might suffer in his seniority. Learned counsel for the respondents, however, submits that as the applicant has been repatriated back to Allahabad, he will not suffer any loss in his seniority. In the circumstances, I do not find that the apprehension of the applicant is justified.

4. Learned counsel for the applicant, however, submits that the impugned order having illegal it has to be set aside. As the impugned order has virtually been nullified by the order of repatriation, I do not think that there is any necessity of going into the matter and deciding the case.

5. The OA is accordingly disposed of. No order as to costs.

Mr. S. Chandrasekhar
(V.Rajagopala Reddy)
Vice Chairman (J)

/sunil/