

Central Administrative Tribunal, Principal Bench

Original Application No.447 of 2000

New Delhi, this the 27th day of October, 2000

Hon'ble Mr.V.K.Majotra, Member (Admnv)

(b)

Shri Subhash C.Saini, U.D.C., R/o C-177,
Delhi Admn.Flats, Sindhora Kalan, Chowki
No.2, Delhi-110052. - Applicant

(By Advocate - None)

Versus

Govt. of N.C.T. of Delhi, through

1. Secretary, Deptt. of Social Welfare, DSW
5/9 Under Hill Road, Delhi.
2. The Director, Deptt. of Social Welfare,
Kasturba Gandhi Marg, New Delhi.
3. Smt.Vinay Kashyap, Child Development
Project Officer, I.C.D.S., Wazirpur, New
Delhi.
4. Smt.Nirmal Dhaiya, Supervisor, I.C.D.S.,
Wazirpur, New Delhi. - Respondents

(By Advocate Shri Rajinder Pandita)

O R D E R (Oral)

The pleadings are complete. The applicant and his counsel are absent. I proceed to dispose of the OA in terms of Rule 15 of Central Administrative Tribunal (Procedure) Rules, 1987.

2. The applicant who was working as UDC in I.C.D.S.Wazirpur, New Delhi under respondent no.3 was transferred in the same capacity vide impugned order dated 24.2.2000 (Annexure-A-1) to the Hostel for College going Blind Students, Kingsway Camp, Delhi. He was relieved by the second impugned order dated 26.2.2000 (Annexure-A-2).

3. In view of the fact that the applicant had already been relieved from the post of UDC at ICDS Wazirpur and another person had been posted in the vacancy created by the applicant's transfer, the prayer of the applicant for grant of interim relief was rejected by the Tribunal vide order dated 27.4.2000.

The applicant has sought quashing of the impugned orders and direction to the respondents to post him back to Wazirpur, New Delhi with consequential benefits. (F)

4. Shri Pandita, learned counsel of the respondents stated that the applicant was transferred on 24.2.2000 and relieved with effect from 26.2.2000. After the order dated 27.4.2000 rejecting the applicant's prayer for grant of interim relief the applicant made a request on 5.6.2000 to the respondents for his transfer nearer home in view of his failing health and that he has been receiving treatment at G.B.Pant Hospital. Shri Pandita states that the applicant's request was accepted and accordingly he was transferred vide order dated 3.7.2000, a copy whereof has been filed by him, and posted at District Office North with immediate effect, which is situated in Gulabi Bagh, nearer his residence.

5. In view of the fact that whereas the applicant was transferred by impugned order dated 24.2.2000 and relieved on 26.2.2000 and his reliever has been posted in the vacancy caused by the said transfer and the respondents accepting the applicant's request for transfer nearer home have transferred the applicant vide order dated 3.7.2000 posting him at District Office North at Gulabi Bagh, in my view, nothing survives in the OA as the request of the applicant dated 5.6.2000 for transfer nearer home has already been met. The OA is disposed of as having become infructuous. No costs.

V.K.Majotra
(V.K.Majotra)
Member (Admnv)