

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.No.56/2000

Friday, this the 2nd day of March, 2001

HON'BLE SHRI M.P. SINGH, MEMBER (A)

Dr. Hari Prasad
working as Senior Scientific Officer,
Central Insecticide Laboratory
(CIL) NH-IV, Faridabad.

R/o House No.1849, Sector -28,
Faridabad
Haryana.

..Applicant

(By Advocate : Shri P.I. Oommen)

VERSUS

Union of India through

1. The Secretary, Agriculture
Ministry of Agriculture
Krishi Bhawan,
New Delhi.

2. Plant Protection Adviser
to Govt. of India
Directorate of Plant Protection
(Quarantine and Storage)
N.H.4 Faridabad (Haryana).

3. Dr. R.S. Sharma
Senior Scientific Officer,
(Chemistry) C/o Director,
Central Insecticide Laboratory
N.H.4, Haryana.

..Respondents.

(By Advocate: Shri D.S. Mahendru for Respondents

No.1 & 2.

Shri G.D. Bhandari for Respondent No. 3)

O R D E R (ORAL)

By Shri M.P. Singh, Member (A):-

The applicant has filed this OA under Section 19 of the Administrative Tribunals Act, 1985 seeking direction to quash and set aside the order dated 5.1.2000 transferring him from Faridabad to Kanpur.

2. Heard both the counsel at length and perused the records.



3. Learned counsel for the respondents draws my attention to the order dated 5.1.2000 (Annexure A-1) of the amended OA. According to this order, the earlier order No.190 of 1999 dated 16.12.1999, transferring Dr. R.S. Sharma, Sr. Scientific Officer (Chem.) from CIL, Faridabad to RPLT, Kanpur and the applicant from RPLT, Kanpur to CIL, Faridabad, has been cancelled. After passing this order the applicant has been sent back to his earlier office at Kanpur. The learned counsel for the respondents also submits that the applicant has already gone back to his earlier office and, therefore, the relief sought by the applicant in this OA does not survive. In view of the above the OA has become infructuous and is liable to be dismissed.

4. Learned counsel for the applicant submits that as per the order of this Tribunal in the case of Major A.A. Aphraim Vs. National Cadet Corps, New Delhi and others (1989 9 ATJ 763) in which it was held that cancellation order should be a speaking and reasoned order. On perusal, I find that the impugned order cannot be interfered on this ground.

5. In view of the aforesaid reasons, the OA is devoid of merit and is accordingly dismissed. However, the applicant is at liberty to re-agitate the matter by filing a fresh OA, if so advised in the future. No order as to costs.


(M.P. SINGH)
Member (A)

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