

(22)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW DELHI

O.A. No. 801/88
T.A. No.

199

DATE OF DECISION 17th Sept. 1993

Shri Hari Krishan Sharma

Petitioner

None

Advocate for the Petitioner(s)

Versus

Union of India

Respondent

None

Advocate for the Respondent(s)

CORAM

The Hon'ble Mr. J.P. Sharma, Member (J)

The Hon'ble Mr. B.K. Singh, Member (A)

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

JUDGEMENT (ORAL)

(by Hon'ble Mr. J.P. Sharma, Member (J))

The applicant in this application has prayed for quashing of the order dated 4.5.87 and 2.7.87 with a further direction to the respondents to issue orders for posting of the applicant as Station Superintendent in compliance with the agreements and undertakings. It is also further prayed that the respondent No.1 Union of India through General Manager be directed to prepare guidelines for the exercise of delegated powers of transfer. ~~of the application~~

2. The application was filed in May 1988. The applicant has filed an application in CAT, Chandigarh Bench. By the order dated 21st May 1991 the Chandigarh Bench of CAT has ordered by giving directions to the respondents to pay the applicant salary by fixing him in the grade of Rs.840-1040/2375-3500 plus DA and other allowances from March 1991 onwards and for that orders be issued.

3. By the impugned order dated 15.5.87 issued by the StationMaster, Verka by which the applicant was spared on 15.5.87 to effect his transfer in pursuance of transfer order dated 4.5.87. By this transfer order dated 4.5.87 the applicant was posted as Asstt. StationMaster, Pakki in the scale of Rs.1400-2300. However, by the subsequent order dated 2.7.87 the applicant was posted as Station Master, Pakki. It may be stated that in earlier order of May 1987 the applicant was posted as ASM at the same station. The applicant is not present today. And none is also present on behalf of the respondents. There is an order of 1.11.91 passed on the MP No.3414/91 by which the applicant has also to annex certain documents to be considered in the case. One of these documents is the interim order granted by the

Chandigarh Bench of CAT and the other order issued by the Senior Divisional Personnel Officer, Northern Railways Ambala Cantt dated 8/22 March 1991 by which the applicant was fixed in the pay-scale of Rs. 2375-3500 w.e.f. 1.3.91.

4. On perusal of the order dated 1.11.91 it appears that the applicant was to retire two months thereafter. This applicant retired in the early part of 1992. The only relief was surviving in the DA is cancellation of his transfer orders and his posting as Station Superintendent in the scale of pay of Rs. 2375-3500. Now the relief has become infructuous. The application is therefore dismissed as infructuous, without any order as to costs.

(B.K.S. Singh)
Member (A)

J. P. Sharma
(J.P. Sharma)
Member (J)

V p C
170993