

Reserved
On 22.12.2020

**CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH, ALLAHABAD**

Original Application No. 330/00798/2020

Allahabad, this the 20th day of January, 2021

**Hon'ble Mrs. Justice Vijay Lakshmi, Member-J
Hon'ble Mr. Devendra Chaudhry, Member-A**

1. MES No. 486408, Smt. Ranjana Singh, Wife of Sri Nimesh Singh, JE (Civil), JE (AF), Gorakhpur.
2. MES No. 608445, Nimesh Singh, Son of Sri Lal Sahab Singh, JE (E/M), C/O JE (AF), Gorakhpur.

Applicants

By Advocate: Ms. Amrita Verma

Vs.

1. Union of India through Principle Secretary, Ministry of Defense, New Delhi.
2. Directorate General (Pers) HQ Military Engineer Services, Engineer-in-Chief Engineer-in-Chief's Branch, Kashmir House, Rajaji Marg, New Delhi – 11.
3. Head Quarter, Chief Engineer, Central Command, Lucknow, Pin 099450 C/o 56 APO.
4. Head Quarter, Chief Engineer (AF) Allahabad Zone C/o 56 APO Pin 211012.
5. HQ, CWE (AF) Bahmaulee, Allahabad C/o 6 APO Pin 211012.
6. GE (AF) Gorakhpur, C/o 56 APO Pin-273008.

Respondents

By Advocate: Shri Chakrapani Vatsyayan

Delivered by Hon'ble Mr. Devendra Chaudhry, Member (A)

This O.A. has been filed by the applicants namely Smt. Ranjana Singh (applicant No. 1) and Shri Nimesh Singh (applicant No. 2) respectively who are husband and wife and are stationed presently at GE (AF), 56 APO, Gorakhpur.

2. The transfer is from the same current location albeit to different places, but the facts of the case are similar; hence, MA No. 1568 of 2020, filed under Rule 4 (5) of C.A.T. (Procedure) Rules, 1987, is allowed. Applicants are permitted to pursue the case together.

3. Arguments have been heard at length from the concerned counsels and with the concurrence of the counsels, the OA is being disposed of at the admission stage itself.

4. It is noticed at the outset itself that the subject matter viz transfer of the applicant is also the subject matter in the O.A. No. 722/2020 and O.A. No. 724/2020. That these OAs have been already decided by this Tribunal vide order dated 14.12.2020. In the event, therefore, this OA is clearly barred by the principle of *res judicata* and was perhaps filed in an over-reach to get the desired relief.

5. Since the matter has already been adjudicated and decided upon, therefore there is no point in going over the issues again more so, being barred by *res judicata*.

6. Hence the OA is liable to be dismissed and is dismissed on the ground of *res judicata*.

7. No Costs.

(Devendra Chaudhry)
Member – A

(Justice Vijay Lakshmi)
Member – J

/M.M/