

LIB

**CENTRAL ADMINISTRATIVE TRIBUNAL,
MUMBAI BENCH, MUMBAI**

**ORIGINAL APPLICATION No.210/519/2016
(with MA No.210/11/2017)**

Dated this Monday, the 01st day of March, 2021

**CORAM: DR. BHAGWAN SAHAI, MEMBER (A)
RAVINDER KAUR, MEMBER (J)**

**Proceeding conducted through video conferencing with
the consent of both counsel for the parties.**

Smt. Nidhi Gupta, Scientific Officer - 'E', Bhabha Atomic Research Centre, Trombay, Mumbai 400 085. (R/at: A/1002, Arihant Sharan Building, Plot No.8, Sector 20, Roadpali, Kalamboli, Navi Mumbai 410 218) -Applicant
(By Advocate Shri A.I.Bhatkar)

Versus

1. Union of India through the Secretary, Dept. of Atomic Energy, Anushakti Bhavan, C.S.M. Marg, Mumbai 400 001.
2. The Director, Bhabha Atomic Research Centre, Central Complex, Trombay, Mumbai 400 085.
3. The Controller, Bhabha Atomic Research Centre, Central Complex, Trombay, Mumbai 400 085.

- Respondents

(By Advocate Shri N.K.Rajpurohit)

ORAL ORDER

Per : Dr. Bhagwan Sahai, Member (A)

Present:

Advocate Shri A.I.Bhatkar for the applicant.

Advocate Shri N.K.Rajpurohit for the respondents.

Heard both of them.

Shri A.I.Bhatkar submits that the order of transfer of the applicant under challenge in the OA was issued illegally. However, Shri Rajpurohit submits that in pursuance to the impugned order of transfer dated 27.04.2015, the applicant did not join at the new place of his posting. Therefore, disciplinary proceedings were initiated against her and after conclusion of those proceedings, the applicant has been compulsorily retired from service as per the order dated 16.12.2020. Since the applicant is no more in service, this OA has become infructuous and therefore, it be dismissed.

Considering these submissions, we conclude that this OA has become infructuous and therefore, it is dismissed. MA No.11/2017 also stands dismissed. No costs.

(Ravinder Kaur)
Member (Judicial)
kmg*

(Dr. Bhagwan Sahai)
Member (Administrative)