

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW DELHI

O.A. No. 870 1987
T.A. No.

DATE OF DECISION 3.12.87

Shri K. K. Kathuria

Petitioner

Shri Swatanter Kumar

Advocate for the Petitioner(s)

Versus

Union of India & others

Respondents

Shri. P. P. Khurana,

Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. Justice J. D. Jain, Vice Chairman

The Hon'ble Mr. Kaushal Kumar, Member.

1. Whether Reporters of local papers may be allowed to see the Judgement? *Yes*
2. To be referred to the Reporter or not? *No*
3. Whether their Lordships wish to see the fair copy of the Judgement? *No*
4. Whether to be circulated to all the Benches? *No*

K. Kumar
(Kaushal Kumar)
Member

J. D. Jain
(J. D. Jain)
Vice Chairman

Central Administrative Tribunal
Principal Bench: Delhi

Regn. NO. OA 870/87

Date of decision: 3.12.1987.

Shri K. K. Kathuria

..... Applicant

vs.

Union of India & others

..... Respondents

Coram: Hon'ble Mr. Justice J. D. Jain, Vice Chairman.
Hon'ble Mr. Kaushal Kumar, Member.

For the Applicant

.... Shri Swatanter Kumar, Counsel.

For the Respondents

.... Shri P.P. Khurana, Counsel.

(Judgement of the Bench delivered by Hon'ble Mr. Justice
J. D. Jain, Vice Chairman)

This application under Section 19 of the Administrative Tribunals Act, 1985 was made by the applicant to challenge his transfer from N.W.P. Dte, New Delhi to Lower Brahmaputra Division, Jalpaiguri vide order dated 15.6.1987 (copy Annexure A-9). Apart from other things, the submission made by the applicant is that he and his wife had been living separately because of some conjugal differences for about 23 years and it was only about 4 years ago that there was reconciliation between the spouses and they have resumed cohabitation. The matrimonial dispute has come to an end in 1987. The two sons of the couple were also living with their mother and consequent upon the reconciliation between the spouses, they have started living with them.

2. Having regard to this aspect of the matter which involved human considerations we had asked the learned counsel for the Respondents to find out if it was feasible to transfer the applicant somewhere near Delhi. The learned counsel for the Respondents has informed us today that the order of transfer of the applicant has since been rescinded and another officer, namely Shri A.S.P. Sinha has been transferred from Middle Ganga Circle, Varanasi to L.B. Division, Jalpaiguri. In view of this development, this Original Application has become infructuous as the impugned order has died its natural death. Hence

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this application is dismissed as having become
infructuous. There shall be no order as to costs.

kaushal

(Kaushal Kumar)
Member
3.12.1987

J. D. Jain

(J. D. Jain)
Vice Chairman
3.12.1987