

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH
ALLAHABAD.

Allahabad this the 10th day of September 1997.

Original Application no. 119 of 1996.

Hon'ble Mr. S. Dayal, Administrative Member.

Hardayal, s/o Late Shri Gayasi, r/o Village & Post Thrauli, Distt. Jhansi, Presently residing at C/o Mohan Lal Rajpoot, Mehar Baba Bhawan, Mehpuri, Hamirpur, working as Work Sharkar Grade III, in the office of the Lower Yamuna Sub Division on III Central Water Commission, Mehpuri, Hamirpur.

... Applicant

C/A Shri Avinesh Tripathi

Versus

1. Union of India through its Secretary, Ministry of Water Resources, New Delhi.
2. Executive Engineer, Lower Yamuna Division, Central Water Commission, C-7 Central Park, New Agra.
3. Sub Division Officer, Lower Yamuna Sub Division III, Mehpuri, Hamirpur.
4. Shri S.P. Singh, Executive Engineer, Lower Yamuna Division, C-7 Central Park, New Agra.

.... Respondents

C/R Shri N.B. Singh.

O R D E R (Oral)

Hon'ble Mr. S. Dayal, Member-A.

This is an application under section 19 of the Administrative Tribunal Act, 1985.

2. The applicant has come for the relief of quashing of transfer order dated 06.01.96.

Hardayal

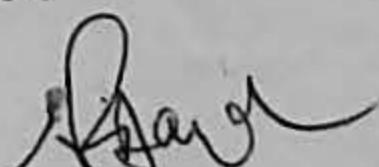
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3. The applicant was appointed as Work Sharker Grade III at Hamirpur. He was transferred from Hamirpur to Banda wide order dated 6.01.96. The applicant has challenged the order claiming that the order was penal in nature, there was a bias against him on the part of the authority making the order of transfer, ^{and} that there were humanitarian reasons as to why the applicant should not be transferred.

4. No rejoinder affida-vit has been filed on behalf of the applicant although he was allowed time on 26.02.96 and on a number of days after that date on which the case was listed before the bench. No RA has been filed till date. Learned counsel for the respondents has drawn attention to paragraph 5 of suppl. counter affidavit in which it has been mentioned that the applicant joined at the place of transfer at Banda on 29.03.96 and reported of having taken charge has also been annexed to this suppl. counter affidavit.

5. It is now clear from the facts given earlier that the relief sought by the applicant in the application can not be granted any more. The application is, therefore, dismissed.

6. There shall be no order as to costs.


Member-A

/pc/