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OPEN COURT

BEFORE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLD. BENCH,
ALLAHABAD

DATED : ALLD. ON THIS 21st DAY OF APRIL, 1998

CORAM : HON'BLE MR. S. DAYAL, MEMBER (A)
HON'BLE MR. S. L. JAIN, MEMBER (J)

ORIGINAL APPLICATION NO. 318 OF 1997

Udai Narain Rai S/o Sri Ram Lagan Rai
R/o Vill. Dhaska P.O. Kauriram, Distt. Gorakhpur
at present posted as Moulder,
Paint Shop, N.E. Rly. Workshop, Gorakhpur.

.... Applicant

C / A : Shri R P Rai, Advocate

Versus

1. Union of India through Secretary,
Ministry of Railways, Rail Bhawan,
New Delhi.
2. General Manager (Persl), N.E. Rly., Gorakhpur.
3. Chief Workshop Manager (Mechanical Workshop),
N.E. Railway, Gorakhpur.

.... Respondents

C / R : Shri G.P. Agrawal, Advocate

O R D E R (ORAL)

(By Hon'ble Mr. S. Dayal, Member (A))

This is an application filed under
section 19 of Administrative Tribunals' Act, 1985.

2. The applicant has filed this application
seeking a direction to the respondents that the
applicant be posted as Moulder Gr. I in pursuance of
order dated 26.06.96 and not to give effect to the order
dated 28.02.97 in so far as it relates to the applicant

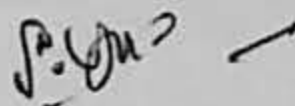
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transferring him from Gorakhpur to Samastipur as Moulder Grade II.

3. The applicant has claimed that he had been promoted as Moulder Grade I w.e.f. 26.06.96 and yet the impugned order dated 28.02.97 was passed against him by which he was posted as Moulder Grade II in Samastipur.

4. The arguments of Shri R.P.Rai, learned counsel for the applicant and Shri G.P.Agrawal, learned counsel for the respondents have been heard and the pleadings taken into account. The learned counsel for the respondents has mentioned that the prayer made by the applicant has been allowed by the respondents as given in the paragraph no.6 of the C.A. It has been mentioned in para no.6 that Corrigendum order for granting the benefits of promotion as Moulder Grade I (1320 - 2040) from 26.06.96 has since been issued with the approval of the competent authority vide office order dated 08.07.97. It is stated that in the order it is specifically mentioned that the applicant shall be treated as Moulder Grade I in place of Moulder Grade II. A copy of the Office Order no.300 dated 08.07.97 is also annexed to the C.A.

5. Learned counsel for the applicant has admitted that the relief claimed by the applicant has since been allowed by the respondents and no further adjudication is necessary in this case. The applicant is, therefore, dismissed as having been fully complied with by the respondents. No order as to costs.



MEMBER (J)



MEMBER (A)

/rsd/