

(19)

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH

ALLAHABAD.

Allahabad this the 22nd day of February 2001.

Original Application no. 320 of 1997.

Hon'ble Mr. V. Srikantan, Administrative Member

Hon'ble Mr. S.K.I. Naqvi, Judicial Member

Ashok Kumar Pandey, S/o Sri Gopal Ji Pandey,  
R/o Village and Post Office Malaon, Distt. Gorakhpur,  
at present posted as Fitter B.P.G.O.H.,  
N.E. Rly., Work shop Gorakhpur.

... Applicant

C/A Shri R.P. Rai

Versus

1. The Union of India, through the Secretary,  
Ministry of Railways, Rail Bhawan,  
New Delhi.
2. General Manager (Personnel) N.E. Rly.,  
Gorakhpur.
3. Chief Work Shop Manager (Mechanical Workshop)  
N.E. Rly., Gorakhpur.

... Respondents

C/Rs Shri K.P. Singh

...2/-

✓ (K.P.S.)

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O R D E R (Oral)

Hon'ble Mr. S.K.I. Naqvi, Member-J.

Proceeded on merit in the absence of applicant's counsel by application of provision under Rule 15 of C.A.T. (Procedure) Rules.

2. The applicant has preferred this O.A. impugning order dated 28.02.1997, through which he was transferred from Gorakhpur to Barauni sick Line as Fitter Grade III which was not only to his transfer but also reversion in rank from Fitter Grade II to Fitter Grade III.

3. The respondents have contested the case and filed Counter affidavit. In para 5 of the counter affidavit, it has been clarified that it was a typographical mistake that in impugned order there is mention of Fitter Grade III. Where as he has been transferred from Broad Gauge periodical overhauling Section Workshop Gorakhpur as Fitter Grade II, which has been corrected and clarified by order dated 02.12.1997. Copy of which has been annexed as annexure 1 to the counter affidavit. It has also been mentioned that by now the applicant has joined the place to which he was transferred as per impugned order.

4. With the above position, in view, we find that the impugned grievance of the applicant has already been scored out by the department vide order dated 02.12.1997 as referred above and the OA become infructuous and decided accordingly. No order as to costs.

*Sae Magu*  
Member-J

*V. Kumar*  
Member-A