

(Open Court)

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Original Application No. 882 of 2001.

Allahabad this the 4th day of April, 2002.

Hon'ble Mrs. Meera Chhibber, Member- J.

Vishnu Dutt Dwivedi s/o Sri Uday Narain
P.G.T (Hindi), Kendriya Vidyalaya No.2,
Chakeri, Distt. Kanpur.

.....Applicant

Counsel for the applicant :- Sri A.K. Gaur
Km. Renu Singh

V E R S U S

1. Union of India through the M/o Human Resources Development (H.R.D), New Delhi.
2. Commissioner, Kendriya Vidyalaya Sangathan, 18, Institutional Area, Saheed Jeet Singh Marg, New Delhi.
3. Principal, Kendriya Vidyalaya No.2, Chakeri, Air Force, Kanpur.

.....Respondents

Counsel for the respondents :- Sri V.K. Singh
Sri N.P. Singh

O R D E R (oral)

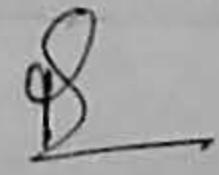
(Hon'ble Mrs. Meera Chhibber, Member- J.)

This O.A under section 19 of the Administrative Tribunals Act, 1985, has been filed by the applicant for setting aside the transfer order dated 30.11.2000 and further for seeking direction to the respondents to decide the representation of the petitioner or for issuing any other order or direction as this Tribunal may deem fit.

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2. The applicant had been granted stay against the transfer order on 15.12.2000 and is continuing since then. During the pendency of the O.A, the court had directed the respondents to consider the representation of the applicant which was duly considered by the department and the respondents vide order dated 14.03.2001, have cancelled the transfer order of the applicant dated 30.11.2000. The same has been brought on record by the respondents and by another order dated 02.07.2001, the applicant has been transferred from Kendriya Vidyalaya No.II, Chakeri, Kanpur to N.T.P.C, Dibyapur. The applicant has since been relieved by the relieving order dated 05.07.2001 for joining his duties at Kendriya Vidyalaya, N.T.P.C, Dibyapur. Both these order have also been brought on record by the respondents . Therefore, the respondents have moved an application bearing No. 4109/2001 for dismissing the OA as the same has become infructuous. This M.A was served on the learned counsel for the applicant on 11.09.2001 but till date, the applicant has not filed any reply to the same inspite of availing five adjournments which clearly shows that the applicant is satisfied with the orders and in any case, if he aggrieved by the subsequent order that gives subsequent cause of action which can only be challenged by filing fresh OA. Since this OA has already become infructuous in view of the facts explained above, this OA is dismissed as infructuous .

3. There shall be no order as to costs.



Member- J.

/Anand/