

**CENTRAL ADMINISTRATIVE TRIBUNAL
PATNA BENCH, PATNA
O.A. No. 050/00398/2020**

Date of Order: 16.03.2021

C O R A M

**HON'BLE MR M.C. VERMA, MEMBER [J]
HON'BLE MR. S.K. SINHA, MEMBER [A]**

I.D. Choudhary, S/O Late Hazari Choudhary, Station Manager, East Central Railway, Nawadah, R/O Railway Quarter at Nawada, District-Nawada (Bihar).

..... Applicant.

By Advocate :- Shri M.P. Dixit.

-Versus-

1. The Union of India through the General Manager, East Central Railway, Hajipur, P.O.-Digghi Kalan, P.S.-Hajipur (Sadar), District-Vaishali, PIN-744101.
2. The Additional Divisional Railway Manager, East Central Railway, Danapur PO-Khagaul, District-Patna-801105.
3. The Senior Divisional Personnel Officer, East Central Railway, Danapur PO-Khagaul, District-Patna-801105.
4. The Senior Divisional Operating Manager, East Central Railway, Danapur PO-Khagaul, District-Patna-801105.

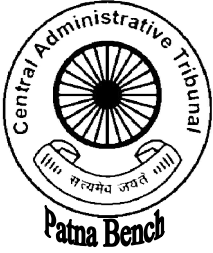
..... Respondents.

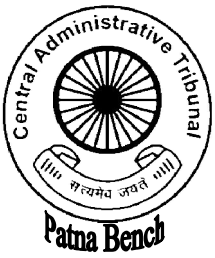
By Advocate :- Shri B.K. Choudhary.
Shri Kumar Sachin.

**ORDER (O R A L)
M.C. Verma, M [J]**

1. Impugning his Transfer Order dated 28/01/2019 & spare/relieving order dated 3/4-10-2020 instant OA has been preferred by the applicant. Notice in this case was issued on 09.11.2020 and no reply has yet been filed.

2. Today learned counsel for respondents urged that regarding same Transfer Order previously applicant did file OA 366/2020 and that OA was withdrawn with liberty to file fresh OA but rather to file fresh OA, applicant did prefer Review Petition and later





on filed the instant OA also. That anyhow opting not to press the Review Petition applicant pressed the instant OA only. That applicant made a categorical statement that he does not want to assail his transfer order and he wants to join his duty at the place of his transfer when situation become normal from this pandemic period and if respondent is directed not to press his relieving order and he is allowed to remain in his present office till 31 March 2021, he would have no grievance and would not press the OA further. That taking note of submission and other surrounding circumstances, notice was issued on 09.11.2020 and interim protection was granted to the applicant which is still in force. Ld. Counsel referring above said backdrop facts urged that there is no necessity to file reply, that respondent would not press the implementation of transfer order till 31.03.2021 and if applicant would honor his undertaking given before the Tribunal that he would join his place of transfer after 31.03.2021, respondent after recalling the previous relieving order would pass fresh relieving order.

3. Learned counsel for applicant, Shri M.P., Dixit submits that in view of said submissions of counsel for respondents, the OA may be disposed of with direction to the respondents to issue fresh relieving order on 01.04.2021 and that applicant would join within a week thereafter.

4. Having taken note of entirety, we dispose of this OA with direction to the respondents to observe interim protection granted to be in force till 31/3/2021, to recall spare / relieving order dated 3/4-

10-2020 and if they want to implement the transfer order, to pass fresh relieving order on or after 31/3/2021. It is hoped that honoring his undertaking, the applicant after fresh relieving order applicant would join his place of transfer within time permissible for joining. OA accordingly stand disposed of.



[Sunil Kumar Sinha]
Member [A]
Bp/-

[M.C. Verma]
Member [J]