

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH
ALLAHABAD.

Original Application No. 1115 of 1994.

Prahlad Singh Applicant.

Versus

Union of India and Others... .. Respondents.

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

Heard Shri Ashutosh Srivastava brief holder
of Shri Ravi Ranjan learned counsel for the applicant.

2. The applicant was transferred vide order
of Assistant Engineer/Construction Northern Region,
Faizabad dated 10.06.1994 from the post of Machine Mate,
Faizabad to Machine Mate Jaunpur, it can be seen from
Annexure A-2. Annexure 1 which is the impugned order,
states that the applicant was sent back from Jaunpur
to Faizabad on 07.07.1994 as order of transfer was
not approved by the Divisional Superintending Engineer
and the Senior Divisional Personal Officer. The applicant
straightway came to the Tribunal with a ple for interim
injunction as well as seeking the relief of cancellation
of transfer order from Jaunpur to Faizabad.

3. Learned counsel for the applicant states that
the transfer order from Faizabad to Jaunpur was
properly made by the authority competent to transfer,
who was Dy. Chief Engineer Construction, Northern
Region, Lucknow, and there was no objection from Inspector
of Works and that the vacancy existed in Jaunpur.
The applicant has also stated in paragraph 4 (XVI) that
the Inspector of Works Jaunpur was interested in

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assigning the post of Machine Mate to a casual labour of his choice.

4. The applicant should have preferred the application to Divisional Railway Manager Lucknow as the transfer appears to have been treated as ineffective on precedural grounds. This is still open to the applicant. Besides, it is clear from Annexure 2 that he has been relieved on 07.07.1994 and sent back to Faizabad.

5. In view of the above there is no case for interim relief or admission of application. The application is, therefore, rejected in limine.


Member (A)

Allahabad Dated:- 19th August 1994.

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