

(Open Court)

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH, ALLAHABAD

Allahabad this the 11th day of December, 2000

C O R A M :- Hon'ble Mr. Justice R.R.K. Trivedi, V.C.

Original Application No. 1184 of 2000.

Hari Dutt Sharma, S/o Sri Mangal Sen Sharma  
Aged about 44 years. R/o Qr. No. R- E. 24  
Railway West Colony, Rampur.

..... Applicant.

Counsel for the applicant:- Sri A.B.L. Srivastava.

V E R S U S

1. Union of India through the General Manager,  
Northern Railway, Baroda House, New Delhi.
2. The Divisional Railway Manager, Northern Railway,  
Moradabad Division, Moradabad.
3. The Senior Divisional Superintendent Engineer (C)  
N. Rly. Moradabad Division, Moradabad.

..... Respondents.

Counsel for the respondents:- Sri Prashant Mathur

O R D E R (oral)

(By Hon'ble Mr. Justice R.R.K. Trivedi, V.C.)

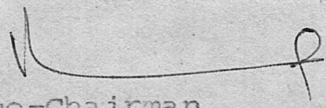
By this application under section 19 of the





Act, applicant has challenged the order dt. 09.10.00 by which the order of his transfer dt. 26.09.00 has been modified and applicant has been transferred as Junior Engineer from Rampur to Bijnore under the Assistant Engineer Najibabad on the same grade and pay scale. Applicant had filed O.A. No. 1287/2000 in this Tribunal challenging his reversion from Section Engineer to Junior Engineer. After the impugned order of transfer and during pendency of this O.A., O.A. No. 1287/00 was allowed by this Tribunal on 21.11.2000. The consequence<sup>ce</sup> of the order passed by this Tribunal is that the applicant stands restored to his position as Section Engineer. In view of the subsequent development in my opinion respondents will have to re-consider to ~~the~~<sup>entire</sup> matter and pass a fresh order, either cancelling the impugned order of transfer or modify the same according to need of the work and change in the status of the applicant. Sri P. Mathur could not disputed this position as result<sup>of</sup> the order dt. 21.11.00 passed by this Tribunal. In the facts and circumstances this O.A. is allowed. The order dt. 09.10.00 is quashed. However, liberty is given to the respondents to pass a fresh order in accordance with law.

2. There will be no order as to costs.

  
Vice-Chairman.

/Anand/