

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

ALLAHABAD

O.A.No. - 1074/2002

Dated : This the 21st day of May, 2004

HON'BLE MRS. MEERA CHHIBBER, MEMBER-J

N.S.Shukla, Son of Late Sri Indra Narayan Shukla,
Resident of T-5/A, Railway Colony Prayag-

..Applicant.

Counsel for the applicant: Shri Rizwan Ali Akhtar

Versus

1. Union of India through the General Manager,
Northern Railway, Baroda House, New Delhi.
2. The Senior Divisional Commercial Manager,
Northern Railway, Lucknow Division, Lucknow.
3. The Divisional Commercial Manager,
Northern Railway Lucknow Division, Lucknow.
4. The Enquiry Officer(Vigilance),
Northern Railway, Baroda House, New Delhi,
at D.R.M. Office, New Delhi.
5. The Senior Divisional Personnel Officer,
Northern Railway, Lucknow Division, Lucknow.
6. The Divisional Personnel Officer,
Northern Railway, Lucknow Division, Lucknow.

..Respondents.

Counsel for the respondents: Shri A.K.Gaur

O R D E R

By Hon'ble Mrs. Meera Chhibber, JM

By this O.A. applicant has sought quashing of the order by which applicant was transferred from Lucknow Division to Moradabad Division. It is submitted by the counsel for the applicant that after filing of the O.A. applicant has been given promotion vide order dated 11.9.03 to the post of Junior Inspector Ticket in the pay scale of 5500-9000 and posted at Prayag. He has already assumed his charge as Junior Inspector Ticket, Prayag, therefore, the

...Pg.2/-

O.A., in which he had challenged his earlier transfer, has become infructuous. Subsequently he had file Misc. Application No. 2021/03 for amendment to quash the show cause notice dated 22.11.2001 and for seeking a further relief to promote the applicant on the post of Junior Inspector Ticket. But today counsel for the applicant himself submitted that the said show cause notice dated 22.11.2001 has already been withdrawn and applicant has already been given promotion also as Junior Inspector Ticket at the same place of posting namely Prayag, therefore, his Amendment Application has also become infructuous. Even otherwise the relief sought by way of amendment is absolutely independent of the main O.A.. Therefore, the M.A. is also dismissed if applicant has any grievance with regard to his promotion or otherwise, he may seek the remedy by filing a separate O.A. for that purpose. Otherwise, as far as main O.A. is concerned since applicant has already been promoted and posted at the same place. The present O.A. has become infructuous.

2. The O.A. is accordingly dismissed as having become infructuous.

No costs.



Member-J

Brijesh/-