

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH :  
ALLAHABAD**

Original Application No. 673 of 2006.

Allahabad this the 22<sup>th</sup> day of February, 2008

**Hon'ble Mr. Justice A.K. Yog, Judicial Member**

Vijay Kumar Srivastava, aged about 47 years, son of late Suresh Kumar Srivastava, posted as Commercial Supervisor, at Northern Railway, Gorakhpur.

.....Applicant

**By Advocate : Sh. R. Chaudhary/Sh. Siddharth Singh.**  
**Versus**

1. Union of India, through General Manager, North East Railway, Lucknow.
2. Divisional Railway Manager, North East Railways, Lucknow.
3. Divisional Railway Manager (Commercial), North East Railway, Lucknow.
4. Shri Munna Singh, Commercial Supervisor, Sahjanwa.
5. Shri Dinesh Mishra, Commercial Supervisor, Naugarh.

.....Respondents.

**By Advocate : Sh. P.N Rai**

**ORDER**

Heard Shri Pranat Chaudhary holding brief of Shri Ratnakar Chaudhary, Advocate, appearing on behalf of applicant and Shri K.P Singh alongwith Shri P.N Rai, Advocates, appearing on behalf of respondents and peruse the pleadings.

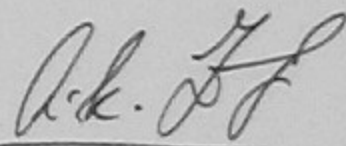
2. Learned counsel for both the sides have no dispute that the applicant has challenged order of transfer by means of present O.A.

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There is also no dispute that during the pendency of this O.A., departmental proceedings were initiated, which calumniated into <sup>as per Q4.</sup> the order of removal. The said fact has been brought on record by the respondents by filing Misc. Application NO. Nil of 2007 (November 11, 2007 by Indu Dubey wife of Shri G.K. Goswami filed through and under signature of Shri P.N Rai, Standing Counsel for the Railways). In para 3 of the said application reads "the applicant challenging the aforesaid removal order dated 14.8.2007 has preferred another original application before this Hon'ble Court, being registered as Original Application NO. 889 of 2007-Vijay Kumar Srivastava Versus Union of India and others in which no interim order however has been passed.

3. In view of above, this O.A. has been rendered infructuous, it is accordingly dismissed. No order as to costs.

  
Member-J

Manish/-