

(OPEN COURT)

**CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH
ALLAHABAD**

HON'BLE MR.A.K. GAUR , MEMBER (J).

Original Application Number. 1255 OF 2007.

ALLAHABAD this the 6th day of January, 2008.

Dr. Niranjan Singh, aged about 59 years, S/o Late Shri R.D. Singh, R/o Balajipuram, Agra. (Working as Medical Superintendent/In-charge, Tundla).

.....Applicant.

VE R S U S

1. Union of India through the General Manager, North Central Railway, Headquarters Office, Allahabad.
2. The General Manager (P), North Central Railway, Headquarters Office, Allahabad.
3. The Chief Medical Director, North Central Railway, Headquarters Office, Allahabad.
4. The Divisional Railway Manager, North Central Railway, Allahabad.
5. The Chief Medical Superintendent, North Central Railway, Allahabad.

.....Respondents

Advocate for the applicant: Sri S.S. Sharma

Sri Ravi Sharma

Advocate for the Respondents : Sri P. Mathur

ORDER

In the instant O.A the applicant has challenged the transfer order dated 28.11.2007 passed by the General Manager (P), North Central Railway, Allahabad and also prayed for allowing him to work as Medical Superintendent/In-Charge of Sub-Divisional Hospital, Tundla. By the said transfer order dated 28.11.2007, the applicant had been transferred as Senior Divisional Medical Officer at Fatehpur in Allahabad Division. Vide order dated 31.12.2007, this Tribunal stayed the operation of the transfer order in respect of the applicant and the respondents were directed to permit the applicant to continue at Tundla.

2. When the case was taken up today for final disposal, learned counsel for the applicant submitted that the applicant is going to be retired on 31.01.2009 after attaining the age of superannuation and the transfer order dated 28.11.2007 in so far as it relates to the applicant has already been stayed by this Tribunal on 31.12.2007. The said order has been continuing from time to time till today.

3. Having heard learned counsel for both sides, I am firmly of the view that no interference with the transfer order in so far as it relates to the applicant at this stage is required by this Tribunal. Accordingly the O.A is partly allowed. Without interfering with the other relief(s), the transfer orders dated 28.11.2007 in so far as it relates to the applicant is hereby quashed and set aside. Interim order dated 31.12.2007 is confirmed as the applicant is going to be retired after three weeks.

4. There shall be no order as to costs.

Anil Gaur
MEMBER- J.

/Anand/