

(4)

CA No. 306/07

7/8/07.

Hon. Mr. K.S. Menon, Am.

Sri S. Narain appears for the applicant. He says that the applicant's ~~case~~ ~~was~~ transferred by order dt. 21/3/07 whereby the applicant was to be transferred from KVS No. 2 OCF, Shah Jahanpur to K.V. under Guwahati Region. As per the transfer order, the applicant was to be relieved from 5/3/07. He was relieved on 5/3/07 in absentia & based on his representation, the respondents permitted to rejoin on 17/3/07.

Subsequently, he was again relieved on 26/3/07 & in ^{purview of} ~~the~~ stay order dt. 28/3/07, the respondents have permitted to rejoin on 10/4/07.

The respondents have subsequently passed office order dt. 30/8/07 by which transfer order of the applicant has been withdrawn, due to the reasons that he was not senior most. Office order has been filed along with the short CA on 7/8/07. In view of this, the present OA has become infructuous.

The learned counsel for the applicant states that the period when he was relieved, i.e. from 5/3/07 to 16/3/07 & from 27/3/07 to 3/4/07 may be treated as on leave & salary be paid accordingly. In this connection, the applicant is directed to submit a representation to the respondents in this regard & respondents will consider & decide the same in accordance with Rules framed therein within a period of one month from the date of receipt of such representation.

In view of the above, the OA is dismissed as infructuous.

K. S. Menon
Am.

2