

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
AHMEDABAD BENCH

(7)

O.A. No. 450/89

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DATE OF DECISION 22.1.1992

Kolanji V. Petitioner

Mr. D.M. Thakker Advocate for the Petitioner(s)

Versus

Union of India & Others Respondent

Mr. B.R. Kyada Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. R.C. Bhatt : Member (J)

The Hon'ble Mr.

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgement?
4. Whether it needs to be circulated to other Benches of the Tribunal?

Kolanji V. .... Applicant

Vs.

Union of India & Ors. .... Respondents

Mr. D.M. Thakker: Advocate for the applicant, Absent.

Mr. B.R. Kyada : Advocate for the respondents, present.

O R A L J U D G M E N T

O.A. No. 450 of 1989

Date: 22.1.1992

Per: Hon'ble Mr. R.C. Bhatt : Member (J)

This application under Section 19 of the Administrative Tribunals Act 1985 is filed by the applicant Kolanji V. against the respondents Railway challenging the order of transfer dated 6th June 1989 produced at Annexure - A by which order the applicant was transferred from Rajkot to Ahmedabad. The respondents have filed reply in detail contesting this application.

2. Learned advocate Mr. B.R. Kyada for the respondents submitted that applicant had subsequently  
O.A. No. 140/90 challenging his transfer from Ahmedabad to Nadiyad which suggested that he had accepted his transfer from Rajkot to Ahmedabad. Mr. Kyada submitted that the O.A. 140/90

filed

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filed subsequently challenging his order of transfer from Ahmedabad to Nadiyad is disposed of on 17.1.1992, as the transfer of applicant from Ahmedabad to Nadiyad which was under challenge in that O.A. had been cancelled. Mr. Kyada therefore, submits that the position as it stands today, the applicant admittedly is serving at Ahmedabad and he has accepted that transfer because in subsequent O.A. No. <sup>140</sup>104/90 he had challenged his transfer from Ahmedabad to Nadiyad. In this view of the matter, now no ground remains for challenge of transfer order dated 6th June 1989 because the applicant is at present serving in Ahmedabad and O.A. 140/90 was disposed of. Hence the following order:

O R D E R

The application is dismissed. No order as to costs.

*R.C. Bhatt*  
 (R.C. Bhatt)  
 Member (J)

\*Kaushik