

(3)

Transfer
Jud

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

O.A. No. 135 1980
~~T.A. No.~~

DATE OF DECISION 18.7.1991

Mr. J. Manoharan Petitioner

Mr. C.T. Maniar Advocate for the Petitioner(s)

Versus

Union of India & Ors. Respondent

Mr. N.R. Shukla Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. M.M. Singh : Administrative Member

The Hon'ble Mr. R.C. Bhatt : Judicial Member

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

J. Manoharan,
Farm Hand (SC 1681)
Military Farm,
AHMEDABAD-3.

: Applicant

(Advocate: Mr. C.T. Maniar, present)

VS.

1. The Union of India, through
Deputy Director General
Military Farms,
Army Head Quarters,
Quarter Master General Branch,
West Block No. 3,
R.K. Puram,
NEW DELHI-22.
2. The Deputy Director of
Military Farms,
Head Quarters, Southern Command,
Kirkee,
PUNE.
3. Mr. M.S. Malik,
Manager or his successor in
the office,
Officer-in-charge,
Military Farm,
AHMEDABAD- 3.

: RESPONDENTS

(Advocate: Mr. N.R. Shukla, present)

CORAM : Hon'ble Mr. M.M. Singh

: Admn. Member

Hon'ble Mr. R.C. Bhatt

: Judicial Member

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

O.A. No. 135 of 1990

Date :18.7.1991


Per : Hon'ble Mr. R.C. Bhatt

: Judicial Member

Learned advocates for both the parties agree that after interim relief, ~~order~~ ^{order granted} for stay of the operation of transfer and movement ~~order~~ ^{passed} by this Tribunal on 23.3.1990, the respondents have cancelled the said impugned order. In view of this ~~passed~~ ^{position} now, the whole application becomes infructus, as the relief which was prayed in the original application does not ~~satisfy~~ ^{remain operative as} the transfer order, which is now cancelled by the respondents and there is no

dispute on that point. Learned advocate for the applicant submits that the cost should be awarded to the applicant for making ^{transfer} ~~and holding~~ the order by the respondents. We cannot ^{accede} ~~consent~~ to this request of learned advocate for the applicant because, the prayer for interim relief was granted to him by this Tribunal immediately after he approached this Tribunal. Moreover the question of payment of cost will not arise as the order is subsequently cancelled. We see no ground to allow cost of the order. The Original Application is disposed of as it has become infructus. There shall be no orders as to costs.




(R.C.BHATT)
Judicial Member


(M.M.SINGH)
Administrative Member

*Ani.

(6)

M.A.ST/66/91
in
O.A./135/90

| Date | Office Report | ORDER |
|----------------|---|--|
| 7.8.92 (10) | <p>Present: Mr. Akil Kureshi, Adv./Res.</p> <p>Mr. Akil Kureshi learned counsel for the original respondents who have filed M.A.ST./66/91 for early hearing. Mr. C.T. Maniar learned counsel for applicant submits that O.A. No. 135/90 has already been disposed of. This M.A. is infructuous and is dismissed.</p> <p> (R.C. Bhatt) Member (J)</p> | <p> (N.V. Krishnan) Vice Chairman</p> |

*K