

**CENTRAL ADMINISTRATIVE TRIBUNAL**  
AHMEDABAD BENCH

**O.A. NO. 199/93**

~~**Ex. NO.**~~

DATE OF DECISION 23/6/1994

Shri N.S. Nagle Petitioner

Shri P.H. Pathak Advocate for the Petitioner (s)

Versus

Union of India & Ors. Respondent

Mr. R.M. Vin Advocate for the Respondent (s)

**CORAM**

The Hon'ble Mr. N.B. Patel : Vice Chairman

The Hon'ble Mr. K. Ramamoorthy : Member (A)

**JUDGMENT**

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

No.

Shri N.S. Nagle  
Quarter No. 70 CNW  
Railway Station Area,  
Porbandar-360 575.  
(Advocate: Mr. P.H. Pathak)

: Applicant

Versus

1. Union of India  
Through:  
Divisional Railway Manager(E)  
Western Railway,  
Bhavnagarpara, Bhavnagar.
  2. Divisional Mechanical Engineer(CNW)  
Western Railway,  
Bhavnagarpara, Bhavnagar.
- (Advocate: Mr. R.M. Vin)

: Respondents

ORAL ORDER

IN

O.A./199/93

Date: 23-6-1994

Per: Hon'ble Mr. N.B. Patel : Vice Chairman

Heard Mr. P.H. Pathak and Mr. R.M. Vin, learned advocates for the applicant and the respondents. The only ground which merited some consideration was that the transfer order was issued before the applicant completed his term of three years at Porbandar. By this time, the applicant has already completed more than three years at Porbandar partly because of the stay against implementation of the impugned transfer order. ~~We see that~~ Since the applicant's term at Porbandar is <sup>now</sup> over, the Department is free to pass a fresh transfer order in supersession of the impugned transfer order, so that there may not be ~~any~~ possibility of <sup>any</sup> technical dispute being raised against the transfer order. We, therefore, direct the respondents to pass a fresh transfer order, if

: 3 :

thought fit, in supersession of the impugned transfer order. Mr. Pathak for the applicant states that the applicant will abide <sup>by</sup> such a fresh transfer order, if passed, without any demur. In view of these directions and observations, the O.A. stands disposed of. No order as to costs.



(K. Ramamoorthy)  
Member (A)



(N.B. Patel)  
Vice Chairman

aab

AHMEDABAD BENCH

Application No. 04/199/93 of 19

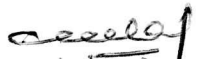
Transfer Application No. \_\_\_\_\_ Old w. Pett. No

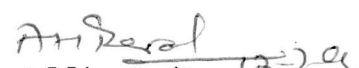
CERTIFICATE

Certified that no further action is required  
to be taken and the case is fit for consignment to the  
Record Room (Decided).

Dated: 06.07.94

Countersigned :

  
Signature of the  
Dealing Assistant.

  
Section officer/Court officer.

## INDEX SHEET

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