

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

O.A. No. 515/93
T.A. No.

DATE OF DECISION 12-10-1993.

Shri Jaisingh A Petitioner

Shri G.A. Pandit Advocate for the Petitioner(s)

Versus

Union of India and Others Respondent

Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr.

N.B.Patel

Vice Chairman.

The Hon'ble Mr.

V. Radhakrishnan

Member (A)

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 ?

No

Shri Jaisingh A
MSM Grade I
working under
Chief Signal Inspector
Western Railway,
Surendranagar.

Applicant

Advocate Shri G.A. Pandit

Versus

1. Union of India
Notice to be served
through the General Manager
Western Railway, Churchgate,
Bombay.
2. Divisional Railway Manager (E)
Western Railway, Kothi Compound
Rajkot.
3. Chief Signal Inspector
Western Railway Surendranagar.

Respondents

ORAL JUDGEMENT

In


O.A. 515 of 1993


Dt. 12-10-1993

Per Hon'ble Shri N.B. Patel Vice Chairman.

The applicant requested for transfer from Surendranagar to Viramgam in September 1992 but, it is stated, ~~that~~ he withdrew his request in December 1992 and, yet, by the impugned transfer order dated 21-4-1993, he has been transferred to Viramgam on the basis of his request. The applicant is stated to have taken over at Viramgam soon after the transfer order dated 21-4-1993, which means

nearly before six months from now. He now challenges the transfer order dated 21-4-1993 on the ground that it could not have been passed on the basis of his request which was already withdrawn prior to the passing of the transfer order. There is no question of setting aside the transfer order which is fully carried out. The O.A. is, therefore, summarily rejected. However, if, as a matter of fact, the applicant had withdrawn his request for transfer to Viramgam prior to 21-4-1993 and if he again makes a representation for transferring him back to Surendranagar, his representation may be considered sympathetically and as a special case. The respondents are directed to consider whether the applicant should be deprived of transfer allowance etc, if it is found that the transfer order dated 21-4-1993 was made after the applicant withdrew his request for transfer to Viramgam. O.A. stands disposed of accordingly.


(V. Radhakrishnan)
Member (A)


(N.B. Patel)
Vice Chairman.

*AS