

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

Order dated 10. 9. 2001.

Learned counsel for the petitioner Shri D. Mohanty and Associates are not present nor has there been any request for adjournment ~~sought~~ on their behalf. Pleadings in this case have been completed long ago and therefore, it is not possible to adjourn the matter indefinitely, more so in the absence of any request for adjournment. In view of this we have heard Mrs. R. Sikdar, learned A.S.C. for the Respondents and also perused the records.

In this O.A. the petitioner, who was working as Deputy Station Master at Khantapada Railway Station and was on leave at the time of filing this O.A. had prayed for quashing the transfer order dated 25.11.97 transferring him to Machhadia Railway Station and the order at Annexure-8, in which the speaking order, rejecting his representation has been sent to him.

For the purpose of considering this petition it is not necessary to go into too many facts of this case. Faced with the transfer order at Annexure-1 the applicant approached the Tribunal in O.A.499/98, which was disposed of in order dated 25.9.1998 vide Annexure-7 directing the respondents to dispose of his representation as a result of which Annexure-8, rejecting his representation through a speaking order has been issued. At the time of filing this O.A. the petitioner was on leave. Respondents have stated that in the meantime the applicant was medically examined and was decategorised in 'A'. 1 category. In order dated 30.12.1999 an alternative employment was offered to him in the post of Sr.Clerk in the scale of Rs.4500-7000/- which the applicant has accepted and joined at Kharagpur. This placement has not been denied by the applicant through any rejoinder. In view of this we hold that the O.A. has become infructuous.

The O.A. is therefore, disposed of for having become infructuous. No costs.

MEMBER (JUDICIAL)

Govind Nath
VICE-CHAIRMAN
10.9.2001

free copies of
final order
at 10.9.01 issued
to counsel for
both sides. *R.P.S.*
OS 10.9.01 S.O (T)