

**CENTRAL ADMINISTRATIVE TRIBUNAL,
CUTTACK BENCH, CUTTACK**

ORIGINAL APPLICATION NO. 74 OF 1999
Cuttack this the 9th day of April, 1999

(PRONOUNCED IN THE OPEN COURT)

M.L.N.Rao

Applicant(s)

-Versus-

Union of India & Others

Respondent(s)

(FOR INSTRUCTIONS)

1. Whether it be referred to reporters or not ? *Yes -*

2. Whether it be circulated to all the Benches of the
Central Administrative Tribunal or not ? *No .*

L.M.
(G.NARASIMHAM)
MEMBER (JUDICIAL)

Somnath Som
(SOMNATH SOM)
VICE-CHAIRMAN
9.4.99

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**CENTRAL ADMINISTRATIVE TRIBUNAL,
CUTTACK BENCH, CUTTACK**

ORIGINAL APPLICATION NO.74 OF 1999
Cuttack this the 9th day of April, 1999

CORAM:

**THE HON'BLE SHRI SOMNATH SOM, VICE-CHAIRMAN
AND
THE HON'BLE SHRI G.NARASIMHAM, MEMBER(JUDICIAL)**

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M.L.N.Rao, aged about 57 years,
Son of Late M.S.Rao,
At present working as - Assistant
Engineer (Electrical),
South Eastern Railways, (Rural Electrification)
Balugaon under CPM/RE/VSKP
At/Po/PS: Balugaon, Dist: Khurda

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Applicant

By the Advocates : M/s.S.S.Das,
P.K.Nayak

-Versus-

1. Union of India represented through
its Secretary, Department of Railways,
New Delhi
2. General Manager(P)
Central Organisation of Railway
Electrification(CORE)
At/Po//PS: Allahabad, Uttar Pradesh
3. Chief Project Manager(P)
Railway Electrification,
Vishakapatnam(VSK), Vaizag(A.P.)
4. Assistant Project Officer(APO)
Railway Electrification
Vishakapatnam, Vizag
5. Divisional Electrical Engineer(DEE)
Railway Electrification(RE)
At/PO/PS: Khurda Road,
District: Khurda

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Respondents

By the Advocates : Mr.D.N.Mishra
Standing Counsel
(Railway Administration)

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ORDER

MR. SOMNATH SOM, VICE-CHAIRMAN: In this application under Section 19 of the Administrative Tribunals Act, 1985, the petitioner has prayed for quashing the order dated 18.2.1999 at Annexure-7 and for further direction to respondents to allow him to retain in his present place of posting in the same capacity.

2. On the date of admission of this Original Application on 25.2.1999, order of transfer vide Annexure-7 was stayed for a period of 15 days, i.e., till 11.3.1999 and the said interim stay is continuing till to-day. The case of the applicant is that during the last six months he has been subjected to multiple transfers from one place to another and that is why he has come up in this application with the prayers referred to earlier.

3. The respondents have filed their counter in which they have stated that the prayer of the applicant is devoid of merit and is liable to be dismissed. They have submitted that the applicant had been transferred from Balugaon to Danapur till 31.3.1999 because of urgent work ^{for} ~~to~~ ^{AS} which applicant's presence was required there at Danapur and the respondents ~~w~~ are within their right to transfer the applicant from Balugan to Danapur because of urgent nature of work to be attended by the applicant.

4. We have heard Shri S.S.Das, learned counsel for the applicant and Shri D.N.Mishra, learned Standing Counsel appearing for the Railway Administration. The original impugned order of transfer vide Annexure-7 was for a period upto 31.3.1999. In other words, the applicant had been transferred from Balugaon to Danapur

upto 31.3.1999 which period having been already over, Anneuxre-7 and the Original Application have become infructuous. In view of this the Original Application is disposed of as infructuous, but without any order as to costs.

costs.

(G.NARASIMHAM)

MEMBER (JUDICIAL)

B.K.SAHOO

Somnath Som.
(SOMNATH SOM)
9.6.99

VICE-CHAIRMAN