

6
Or. dt. 30.7.03for Admission
and Hearing.

L/8

Bench

Or. dt. 6.8.03

Copies of order
prepared for
Counsel for both
parties.L/8
12/8Dk
12/8/03
do

30.7.03

Call on 6/8/03 as
requested by Shri B.S. Prepalay.

Member(S)

Order dt. 06.08.2003

The Applicant, named K. Ramlu, while working as the Book Clerk at Khurda Railway Station, was in occupation of Type-II Qrs. No. 435/A at Retang Railway Colony. He faced a transfer from Khurda Railway Station to Berhampur Railway station vider order under Annexure R/1 dt. 24.07.1998; wherein he was instructed to give vacant possession of the quarters in question. Later, under Annexure A/1 dt. 13.12.2000 and Annexure A/3 dt. 22.01.2001, the Applicant was given notices to vacate the quarters in question under threat of initiation of disciplinary proceedings and release of penal rent. At that stage, the Applicant had filed the present Original Application under Section-19 of the Administrative Tribunals Act, 1985.

2. The Respondent/Department has filed a counter in this case.

3. In the Original Application, the Applicant has prayed for quashing of the notices under Annexure R/1 and R/3 and prayed for a direction (to be issued to the Respondents/Railways) to allow him to retain the quarters in question.

4. At the hearing, today, Mr. R.C. Rath, learned Standing Counsel for the Railways, with instruction from the Respondents, intimated that the Applicant gave vacant possession of the quarters in question on 08.10.2002.

P.T.O

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

5. Since during pendency of this case, the Applicant has given the vacant possession of the quarters in question, the present Original Application has, virtually, become infructuous, and, therefore, upon hearing Mr. B. S. Tripathy, learned counsel appearing for the Applicant and Mr. R. C. Rath, learned Standing Counsel for the Respondent/Railways, this case is disposed of. No costs.

Yabu
06/08/03
Member (Judicial)