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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A.No. 534 of 2012
Cuttack, this the 3rd day of January, 2013

CORAM
HON'BLE MR. A.K. PATNAIK, MEMBER (JUDL.)

Brundaban Nayak,
Aged about 48 years,
S/o.Late Malagobinda Nayak,
Working as UDC
O/O the Assistant Garrison Engineer
(Building and Road)
Sunabeda

....Applicant

(By Advocates :M/s.S.Rath,B.K.Nayak-3,D.K.Mohanty)

-VERSUS-

Union of India represented by –

- 1 The Chief Engineer,
Head Quarter,
Southern Region,
Engineers Branch,
Pune-411001
2. The Chief Engineer,
Navy,
Railway Station Road,
Vishakhapatnam
3. The Garrison Engineer (P),
Railway Station Road,
Vishakhapatnam.
4. The Assistant Garrison Engineer (AG)(B&R)
Sunabeda

.....Respondents

(By Advocate : Mr.S.Barik)

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O R D E R (oral)**A.K.PATNAIK, MEMBER (J):**

Mr.S.Barik, Learned Additional Standing Counsel

appearing for the Respondents filed a Memo dated 26.12.2012 stating therein as under:

“The aforesaid case has been filed by the applicant to challenge the order of transfer, where this Hon’ble Court has pleased to pass interim order that “in the meanwhile if the applicant has not been relieved, he shall not be relieved till the next date”. The counsel for respondents has filed MA for vacation/ modification of interim order and counter to the OA since long i.e. on 05.09.2012. In the meanwhile the respondents department has considered the representation of the applicant along with others and cancelled the transfer order/posting order of the applicant and some others vide Notification No. 132402/2012/PO/165/E1B(S)/A2 dated 03.12.2012. So the above matter became infructuous after the Notification dated 03.12.2012 and let the matter may be dismissed accordingly. The Notification dated 03.12.2012 is attached herewith as Annexure-P/1.”

2. Heard Mr.D.K.Mohanty, Learned Counsel for the Applicant and Mr.S.Barik, Learned Additional Standing Counsel appearing for the Respondents and perused the notification dated 03.12.2012. In view of the Memo filed by the Respondents on 26th December, 2012 enclosing thereto copy of the Notification No. 132402/2012/PO/165/E1B(S)/A2 dated 03.12.201, there remains nothing further to be adjudicated in this OA. Hence this OA being infructuous is disposed of accordingly. No costs.


(A.K.Patnaik)
Member(Judicial)