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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
JODHPUR BENCH AT JODHPUR.

O.A.No. 215/95

Date of Order August 9, 1995

Harji

...

Applicant

VERSUS

Union of India & Ors. ...

Respondents.

Mr. Y.K. Sharma

...

Counsel for the Applicant

Mr. R.K. Soni

...

Counsel for the Respondents.

CORAM :

Hon'ble Sh. N. K. Verma, Administrative Member.

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Heard Shri Y. K. Sharma.

This is an OA filed by the applicant regarding his transfer under a particular unit in the Railways. This very applicant had approached the Tribunal in O.A. 94/95 in which a direction was given to the respondents to dispose of a representation if filed by the applicant in regard to the grievance about his posting with a speaking order in the matter. However, the representation filed by the applicant as an Annexure A/7 dated 13.3.95 has not been disposed of by the respondents and instead, he has been served with an order of transfer passed by the Assistant Engineer-III, Hanumangarh posting the applicant as Head Trolleyman under PWL-III, without any reference to order of this tribunal. The applicant has made this order as a fresh cause of action for this application. Admittedly this matter is hit by principle of res-judicata as the similar application was disposed of on 8.3.95 in O.A. No. 94/95 by this very bench. The respondents have not carried out the order of this tribunal and have passed another order without considering representation of the applicant. Respondents are liable to be proceeded against for contempt of court if such a petition is moved by the applicant. Hence, this O.A. is dismissed at the admission stage. The applicant is at liberty to file a Contempt Petition, if he is so advised.



N. K. Verma
(N. K. VERMA)
Administrative Member.

'CPM'