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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR.

O.A.No. 345/95

Date of Order:26.11.1996

K.C. Pal

...Applicant

VERSUS

Union of India & Others

...Respondents.

Present :

Mr. S.K. Malik, Counsel for the applicant.

Ms. Padmini Rathore, Brief holder for Mr. J.P. Joshi, Counsel for the Respondents.

CORAM :

HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN

HON'BLE MR. S.C. VAISH, ADMINISTRATIVE MEMBER.

O R D E R :

(Per Hon'ble Mr. Gopal Krishna)

Applicant, K.C. Pal, in this application under section 19 of the Administrative Tribunals Act, 1985, has called in question the order at Annex.A/1 dated 21.8.95 by which he was posted temporarily to Transport and Clearance Unit, Railway Siding, Kota pending completion of Departmental enquiry with instructions to report to Assistant Stores Officer, Transport and Clearance, Kota.

2. We have heard the learned counsel for the applicant and Miss Padmini Rathore, Brief holder for Mr. J.P. Joshi, Counsel for the respondents and have gone through the records.

3. The contention of the applicant is that during his posting at Rawatbhata as a Junior Store Keeper, he was served with a Charge-sheet but during the course of Departmental enquiry on that charge-sheet, he was transferred from Rawatbhata to the Transport and Clearance Unit, Railway Siding, Kota and that the transfer order is vitiated with malice on the part of respondents No.3. It is also contended that the order passed by the Stores Officer is without jurisdiction. The operation of the impugned order was

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stayed by a Bench of this Tribunal on 28.8.95. The stay granted is effective till date. However, by another order issued on 25.9.96, which has been produced before us on behalf of the respondents and taken on record of the case, the applicant has been transferred back to Rawatbhata. The grievance of the applicant against the transfer now does not survive. The present O.A. has become infructuous, and is therefore, dismissed.

No order as to costs.

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(S.C. VAISH)
Member (A)

GKrishna
(GOPAL KRISHNA)
Vice Chairman.