

CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR

O.A. No. 290/00266/14

Jodhpur this the 26th October, 2015

CORAM

Hon'ble Ms Meenakshi Hooja, Admv. Member

Swaroop Ram S/o Shri Rana Ram, R/o Balotra, District-Barmer. At present working as Ticket Booking Clerk, Ramdeora Railway Station, District Jaisalmer (Now under Transfer).

.....Applicant

(By advocate : Mr Chaturbhuj)

Versus

1. Union of India through the General Manager, North Western Railway, Head Office, Jagatpura, Jaipur (Raj).
2. The Divisional Railway Manager, North-Western Railway, Jodhpur.
3. Shri R.P. Meena, the then Senior Divisional Commercial Manager, North Western Railway, Jodhpur & Presently working as Senior Divisional Commercial Manager, North-Western Railway at Jaipur.
4. The Chairman, Railway Board, Ministry of Railways, New Delhi (India).

.....Respondents

Respondents No. 1,2 & 4 by advocate Mr Girish Sankhla.
Respondent No. 3 by advocate Mr J.K. Mishra.

ORDER (Oral)

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This Original Application has been filed by the applicant under Section 19 of Administrative Tribunal's Act, 1985 seeking following

- (i) That impugned order dated 02.07.2014 (Annex. A/1) ordering transfer of the application from Ramdeora to Barmer, may kindly be declared illegal and the same may be quashed and set aside with all consequential benefits as if the said order was never passed.
- (ii) That without prejudice to the above-said relief, it is prayed that if at all the applicant's transfer is necessary in administrative exigency, he may be transfer at any other suitable place within the jurisdiction of the respondent No. 3;
- (iii) That any other direction or orders may be passed in favour of the applicant, which may be deemed just and proper under the facts and circumstances of this case in the interest of justice.
- (iv) That the costs of this application may be awarded to the applicant.

2. During course of hearing today, counsel for applicant submitted that earlier the applicant was transferred from Ramdeora to Barmer vide order dated 02.07.2014 (Annex. A/1) but now he has been transferred to Balotra and this fact was also recorded in the order sheet dated 18.08.2015 and he has also joined at Balotra. He, however, submitted that directions may be passed against the action of respondent No. 3 (who has been made private respondent) as the applicant faced great harassments because of him as brought out in the OA.

3. Per contra, counsel for official respondents submitted that the applicant has now been transferred to Balotra and as such relief prayed for in para 8 (ii) of the OA has been granted and further contended that there is no case for taking any action against private respondent No. 3, rather, the applicant has raised false case against the official

respondents. Counsel for private respondent No. 3 prayed for dismissal of the OA.

4. Considered the above contentions and perused the record. Admittedly, the alternate relief sought in para 8(ii) of the Original Application that if at all the applicant's transfer is necessary in administrative exigency, he may be transferred at any other suitable place within the jurisdiction of the respondent No. 3, has already been granted and the applicant has already been transferred/posted to Balotra (i.e. in place of earlier posting at Barmer) and he has already joined there. In light of above developments, as substantial relief has been granted to the applicant by official respondents, there remains no other issue for consideration. Accordingly, OA is disposed of with no order as to costs.



[Meenakshi Hooja]
Administrative Member

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