

**CENTRAL ADMINISTRATIVE TRIBUNAL,
LUCKNOW BENCH,
LUCKNOW.**

Original Application No. 202 of 2011

This the 19th day of July, 2011

Hon'ble Mr. Justice Alok Kumar Singh , Member-J
Hon'ble Mr. S.P. Singh, Member-A

M.A.P. Khan, Aged about 58 years, S/o Sri Maqsood Ali Khan, R/o L-8 A, Railway Colony, Jai Raod, Lucknow, presently posted as AWEE/CB/Lucknow.

.....Applicant

By Advocate : Sri G.S. Verma

Versus.

1. Union of India, through Principal Secretary, Railway Civil Secretariat, New Delhi.
2. General Manager/P, Northern Railway, Baroda House, New Delhi.
3. The General Manager, Central Organization of Railway Electrification, Allahabad.
4. Chief Project Manager, Railway Electrification, Lucknow.
5. Sri R.K. Goel, Dy. CEE-1/RE/Lucknow.

.....Respondents

By Advocate : Sri S. Verma.

ORDER (Oral)

By Justice Alok K Singh, Member-J

Heard. At the outset, it may be mentioned that this O.A. is hit by Rule 10 of CAT (Procedure) Rules, 1987 as multiple relief(s) have been claimed.

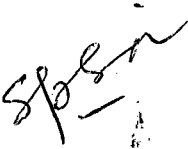
2. This O.A. has been filed mainly for two reliefs; (i) to quash the impugned transfer order dated 24.12.2010 passed by respondent no.4. Perusal of Annexure-1 shows that it is not a transfer order. It is a relieving order. The transfer order is dated 24.9.2010 which has not been challenged. Therefore, this relief has no meaning. Otherwise also, according to the applicant's counsel himself, now the applicant has been transferred from

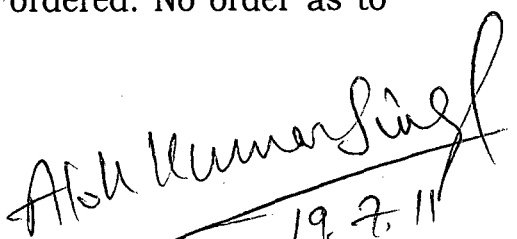
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Railway Electrification to Northern Railway. It appears that in the entire O.A., it has not been pleaded that the applicant continues to work on the post from which he has already relieved by the respondents vide Annexure-1. Sri S. Verma, on the other side, says that after relieving, the applicant has already joined in Railway Electrification. Therefore, from every angle, this relief has no substance.

3. The second main relief pertains to order dated 8.3.2011 by means of which the applicant was refused to grant special disability leave. Instead, he was advised to apply for sanction of leave under normal sick rules. Sri S. Verma submits that in furtherance of the aforesaid direction, the applicant has already applied that kind of leave and he has also been sanctioned normal sick leave for 202 days from 26.1.2011 vide order dated 23.6.2011. Electostat copy of the same has also been shown by Sri S. Verma, counsel for the respondents, to this Tribunal and also the learned counsel for the other side. After perusing the aforesaid order, learned counsel for the applicant did not say anything.

4. In view of the above, this O.A. deserves dismissal in view of Rule 10 of CAT (Procedure) Rules, 1987 and also for having become infructuous. Accordingly, it is so ordered. No order as to costs.


(S.P. Singh)
Member-A


(Justice Alok K Singh)
Member-J

Girish/-