

Central Administrative Tribunal Lucknow Bench Lucknow

Original Application No. 107/12

This, the 2nd day of April, 2013

Hon'ble Mr. Navneet Kumar, Member (J)

M.A.P. Khan aged about 58 years S/o Maqsood Ali Khan, R/o L-8 A, Rly Colony, Jail Road, Lucknow, presently repatriated as AEE/RE/LKO.

Applicant

By Advocate: Sri S. P. Pandey.

Versus

1. Union of India through Secretary Railway Board Rail Bhawan, New Delhi.
2. General Manager/P, Northern Railway, Baroda House, New Delhi.
3. The General Manager, Northern Railway, Baroda House, New Delhi.

Respondents

By Advocate Sri S. Verma.

Order(Dictated in Open Court)

By Hon'ble Mr. Navneet Kumar, Member (J)

Heard the learned counsel for the parties.

2. The present O.A. has been preferred by the applicant under Section 19 of the Central Administrative Tribunal Act, 1985 challenging the transfer order dated 15.2.12 and submitted that the same is illegal malafide and arbitrary in the eyes of law. Learned counsel for the applicant has also pointed out through his rejoinder affidavit and also annexed an order dated 9.7.12 wherein, one Sri A. K. Patari was transferred and posted in place of the applicant at his transfer place i.e. at Principal /ETC/GZB.

3. The learned counsel for the respondents submits that since other person has already joined there, the impugned transfer order at present where the applicant was put to transfer stands withdrawn automatically as such, new order of posting

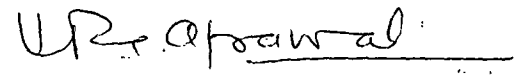


would be issued in favour of the applicant as per vacancy position and need of administration.

4. Let the respondents may pass an order in respect of the applicant posting him at a suitable place wherever the need of the work for the applicant is required. The applicant also undertakes to join at his new place where the respondents will post him. The said order may be passed within 15 days from the date of receipt of copy of this order.

5. With the above observation, the O.A. stands disposed off.

No order as to costs.


(Navneet Kumar)
Member (J)

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