

## IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

~~NEW DELHI~~  
NEW BOMBAY BENCH

~~O.A. No.~~

198

T.A. No. 233/87

DATE OF DECISION 23.6.1989Shri D.R.Pujari

Petitioner

\_\_\_\_\_  
Advocate for the Petitioner(s)

Versus

Union of India and others.

Respondents

\_\_\_\_\_  
Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. P.S. Chaudhuri, Member (A)

The Hon'ble Mr.

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgement?
4. Whether it needs to be circulated to other Benches of the Tribunal?

Yes

No.



(9)  
BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
NEW BOMBAY BENCH, NEW BOMBAY 400 614

Tr.A.No. 233/87

Shri D.R.Pujari,  
Railway Catering Manager,  
C/o Station Superintendent,  
Central Railway, Bhusawal.

... Applicant

v/s.

1. Union of India  
through the General Manager,  
Central Railway,  
Bombay V.T.
2. The Divisional Railway Manager (P)  
Nagpur Division, Nagpur.
3. Shri Syed Shahid Hussain Naqvi,  
Catering Manager, Ballarpur.

... Respondents

CORAM: Hon'ble Member (A) Shri P.S.Chaudhuri

ORAL JUDGMENT

Dated: 23.6.1989

(PER: P.S.Chaudhuri, Member (A))

This application was filed on 12.3.1982 in the Nagpur Bench of the High Court of Judicature at Bombay as Writ Petition No. 490/82. By an order dated 12.9.1986 it was transferred to this Tribunal under the Administrative Tribunals Act, 1985 and taken on our file as Tr.No. N-233/87. In it the applicant prays that the order dated 9.3.1982 in terms of which Shri S.S.H.Naqvi, Catering Manager is transferred from Ballarpur and posted at Nagpur be quashed and for other connected and consequential reliefs.

2. The respondents had opposed the application by filing their written statement on 16.8.1982 when the matter was still before the High Court.

.. 2/-

3. The matter was last heard on 20.4.1989 when there was none present on behalf of the applicant. Mr.T.D.Ghaisas, Law Assistant in the Office of Respondent No. 1 was present and Mr.S.S.H.Naqvi, Respondent No. 3 was also present in person. On that day Respondent No. 3 stated that subsequent to his transfer in March, 1982 from Ballarpur to Nagpur he has undergone three other transfers, namely, in 1985 from Nagpur to Amla, in 1987 from Amla to Itarsi and in 1988 from Itarsi to his present post at Dadar. According to Mr. Naqvi the applicant has also been transferred from Ballarpur to Nagpur in or about 1983 and, thereafter, in 1986 or 1987 from Nagpur to Bhusawal. It therefore appears that this application no longer survives. However, by an order dated 20.4.1989, it was directed that one more chance be given to the applicant to pursue his petition if he so desired. Accordingly, a notice dated 11.5.1989 was sent and served on the applicant. Inspite of this, the applicant is not present today.

4. Today I heard Mr.B.S.Shandilya, Head Clerk in the Office of Respondent No. 2.

5. In view of the position detailed earlier, the application is dismissed as no longer surviving. In the circumstances of the case, there will be no order as to costs.



(P.S.CHAUDHURI)

Member (A)