

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH

ORIGINAL APPLICATION NO: 347/97

Date of Decision: 6-6-97

A.D.Gourkar

.. Applicant

Shri C.S.Taide

.. Advocate for
Applicant

-versus-

Union of India & Ors.

.. Respondent(s)

Shri P.S.Lambat.

.. Advocate for
Respondent(s)

CORAM:

The Hon'ble Shri B.S.Hegde, Member(J).

The Hon'ble

(1) To be referred to the Reporter or not ?

(2) Whether it needs to be circulated to
other Benches of the Tribunal ?


(B.S. HEGDE)
MEMBER (J).

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,

MUMBAI BENCH, MUMBAI

ORIGINAL APPLICATION NO. 347 OF 97.

6/1, this the Today day of June 1997.

Coram: Hon'ble Shri B.S.Hegde, Member(J).

A.D.Gourkar,
60, Ganesh Colony,
Rana Pratapnagar,
Nagpur - 440 022.
(By Advocate Shri C/S.Taide)
V/s.

... Applicant.

1. Union of India through
Secretary, Ministry of Railways,
Rail Bhavan,
New Delhi.

2. General Railway Manager,
South Eastern Railway,
Garden Reach,
Calcutta-43.

3. Chief Personnel Officer,
South Eastern Railway,
Garden Reach,
Calcutta-43.

4. Divisional Railway Manager,
South Eastern Railway,
Nagpur-440 001.

... Respondents.

(By Advocate Shri P.S.Lambat).

ORDER

(Per Shri B.S.Hegde, Member(J))

In this O.A. the applicant has challenged the impugned transfer order dt. 14.3.1997 from Nagpur to Tundar Road Gondia along with the post, the said transfer order is approved by the D.R.M., Nagpur and the same is arranged on administrative interest. Against the said transfer, the applicant preferred a representation on 18.3.1997 urging the Competent Authority that he may be retained at Nagpur and cancel the transfer order since his presence at Nagpur is essential. The applicant has also filed an M.P. (M.P.No.311/97) praying for a direction to respondents to file their reply. It is understood that the respondents have filed their reply

By

...2.

in the Registry, but the same is not available on the record.

2. Heard Shri C.S.Taide, counsel for the applicant and Shri P.S.Lambat, counsel for the respondents.

During the course of hearing, the learned counsel for the respondents submitted that the applicant has already joined his duties at ~~Tumarkot~~ ^{Tumarkot} ~~Sendia~~ on 2.4.1997, hence the application filed by him has become infructuous.

In view of the above statement and on a perusal of the O.A. I find that there is no other ground taken by the applicant challenging his transfer. Since he has already joined the post at ~~Gondia~~ ^{Gondia Rd} nothing survives in the O.A. and therefore the O.A. is dismissed as infructuous.


(B.S. HEGDE)
MEMBER (J).

B.