

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH
JAIPUR.

T.A.NO. 1859 : Date of order 16.3.93

U.O.I. : Applicant.

Vs.

Vijay Singh & Ors. : Respondents.

Mr. J.K.Kaushik : Counsel for the respondents.

CORAM:

HON'BLE MR. B.B.MAHAJAN, ADMINISTRATIVE MEMBER

HON'BLE MR. GOPAL KRISHNA, JUDL. MEMBER

PER HON'BLE MR. B.B.MAHAJAN, ADMINISTRATIVE MEMBER

The U.O.I. have filed an appeal against the order dated 4.8.84 of learned Munsif and Judl. Magistrate Sawai Madhopur in Civil Suit No.169 of 1983. The same has been transferred to the Tribunal under Sec.29 of the Administrative Tribunal Act and registered as a T.A.

2. The respondent Vijay Singh had filed a Civil Suit against order dated 2.12.82 of DRM, Kota by which he had been transferred from Sawai Madhopur to Ganganagar. The learned Munsif vide the order dated 5.3.83 stayed the operation of the order dated 2.12.82. Vijay Singh filed an application before the learned Munsif on 3.4.84 that he had not been taken on duty in compliance with the Courts order dated 5.3.83 and therefore, requested that the Railway Authority should be directed to allow him to resume duty as Ticket Collector at Sawai Madhopur in-compliance with the stay order dated 5.3.83. After hearing both the parties the learned Munsif vide the order dated

4.8.84 allowed the application and gave directions to the Railway Authorities to allow Shri Vijay Singh to join as Ticket Collector at the railway station Sawai-Madhopur and not to implement their order dated 21.3.83 by which he was transferred to Gangapurcity. It was clarified that in accordance with the Court's order dated 5.3.83, the Competent Authority would be at liberty to issue fresh transfer orders in respect of the respondent Vijay Singh. The U.O.I. have challenged this interim order on various grounds. It is not necessary to go into the merits of the case when more than 8 years have passed since the interim directions were issued. The counsel for the respondent stated that Shri Vijay Singh has subsequently been transferred from Sawai-Madhopur.

In view of the position stayed above the T.A. stands dismissed with no order as to costs.

G. Krishnamoorthy
(GOPAL KRISHNA)
Member (Judl.)

R. B. Mahajan
(R. B. MAHAJAN)
Adm. Member

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Anil