

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JODHPUR BENCH

CIRCUIT SITTING AT JAIPUR

Date of Order: Oct. 19, 1989

T.A. N o. 1935/86

Shri Inder Singh

...Petitioner

...Petitioner in person

versus

Union of India & another ...Respondents.

Mr. M.P. Sharma

...Counsel for Respondents.

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THE HON'BLE SHRI G.C. SINGHVI, ADM. MEMBER.

G.C. SINGHVI

The factual matrix leading to the institution of the instant suit, since rechristened as Transferred Application, lies within a narrow compass.

2. The petitioner, Painter grade III in the pay scale of Rs 260-400(R), posted in the Signal and Telecom branch of the Railways at Gangapur city, was, vide order dated September 11, 1981, transferred in the same capacity and in the same pay scale to Shamgath. Aggrieved by this transfer, the petitioner filed a Civil Suit on September 26, 1981 in the court of learned Munsif Gangapur city with a prayer that the transfer order dated September 11, 1981 being illegal, ~~malafide~~ ^{malafide} and inoperative, be quashed and the defendants ^{not} (now respondents) be directed to relieve him in pursuance of that transfer order. On October 3, 1981 the learned Munsif issued an ad interim stay order. After hearing both the parties, the learned Munsif, vide his order dated November 6, 1981, vacated the stay order. Against this order of the learned Munsif the plaintiff (now petitioner) filed an appeal in the court of Additional District Judge, Gangapur city, which was rejected on January 29, 1983. Thereafter, the



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civil suit, by virtue of the operation of section 29(1) of the Administrative Tribunals Act, 1985, was transferred to the Tribunal and rechristened as Transferred Application.

3. The Transferred Application was listed for hearing today. The petitioner argued his own case and he stated that some three years ago he had been posted back to Gangapur city as Painter grade III in the Signal and Telecom branch of the Railways. In view of what the petitioner has now stated, the Transferred Application has become infructuous.

4. In view of the foregoing, the Transferred Application is dismissed as infructuous with no order as to costs.

Singhvi
(G.C. SINGHVI)
ADM. MEMBER. 19/10/89.

