

(9)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

* * *

Date of Decision: 19.9.97

OA 5/97

Nawama w/o Late Shri Durai Swami, unskilled Female Peldar Khalasi under IDW (C). phulera.

... Applicant

Versus

1. Union of India through General Manager, Western Railway, Churchgate, Bombay.
2. Dy.Chief Engineer (C), Western Railway, Ajmer.
3. Jr.Engineer (C), Western Railway, Phulera.

... Respondents

CORAM:

HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

For the Applicant

... Mr.R.N.Mathur

For the Respondents

... Mr.S.K.Chanchlani, O.S.,
departmental representative

O R D E R

HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

Applicant, Nawama, has filed this application under Section 19 of the Administrative Tribunals Act, 1985, for seeking a direction to the respondents not to transfer her from Phulera. This application is also directed against the denial of terminal benefits.

2. Heard the learned counsel for the applicant and Mr.S.K.Chanchlani, Office Supdt., departmental representative for the respondents.

3. The facts giving rise to this application are that the husband of the applicant while working on the post of Gangman, at Phulera, died on 20.3.93 due to an accident. On his death, the applicant was given appointment as Female Beldar Khalasi on compassionate basis at Phulera. Thereafter, she represented to the respondents for finalising the case for terminal benefits accruing on the death of her husband. However, the applicant was transferred in the Ajmer Division, at Phalna, on temporary basis. No written order of transfer was passed. The applicant is a widow. She has to maintain three children. She has stated that being a low paid employee her life may become miserable in case she is transferred to some other place. The departmental representative has stated that the applicant is still serving at Phulera and she has been absorbed at Phulera itself. In regard to the grant of terminal benefits, orders have already been issued vide communications dated 29.5.97 and 20.9.97, which have been produced by the departmental representative today. These communications have been taken on the record. According t

G.Krishna

these communications, terminal benefits have been granted to the applicant. In the circumstances, this application has become infructuous. It is, therefore, dismissed. No order as to costs.

G. Krishna
(GOPAL KRISHNA)
VICE CHAIRMAN

VK