

CENTRAL ADMINISTRATIVE TRIBUNAL

JAIPUR BENCH, JAIPUR

ORDERS OF THE BENCH

Date of Order: 31.7.2015

OA No. 291/00067/2015 and OA
No.291/00129/2015(both files clubbed with)

Mr. S.K.Bhargava, Counsel for the applicant.
Mr. Anupam Agarwal, Counsel for respondents.

OA No.291/00067/2015 was filed seeking to challenge Annexure A/1 communication dated 8.1.2015 issued by the Senior Personnel Officer/HQ addressed to the General Manager(P), South Western Railway, Hubli, Karnataka. In the said communication the Senior Personnel Officer sought the advice whether a post of Bungallow Khalasi is available with the post where Shri S.K.Garg, SAG/IRTS was posted and the applicant will be accommodated so that applicant may be transferred and spared for further posting at SWR.

Subsequently, the Department transferred the applicant vide order dated 23.1.2015 to SWR and posted him there. In the OA No.291/00067/2015 this Tribunal vide order dated 28.1.2015 directed the respondents not to transfer the applicant to South Western Railway in pursuance to the letter dated 8.1.2015 (Ann.A/1) and letter dated 22.1.2015 (Ann.A/6) till the next date, if he has already not been transferred and relieved to South Western Railway. The said order was extended from time to time.

Pending Original Application, the department cancelled the transfer order and the applicant was accommodated in North Western Railway and posted at Bikaner as Trackman vide order dated 10.6.2015. In the facts and circumstances no issue survive for consideration in both the petitions. In view of the

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position, OA are dismissed having become infrutuous.

The Ld. Counsel for the applicant submits that the applicant continued in the same office and he has not joined during that period, he therefore, prays that the order may be passed directing the respondents to release his salary.

After hearing both sides, I am of the view that respondents shall consider the issue of payment of salary on merits and pass an appropriate order within a period of two months from the date of issue of this order.

With these observations both the OAs are disposed of.

(JUSTICE HARUN-UL-RASHID)
JUDICIAL MEMBER

Adm/

*Copy of order
given to applicant
respondent.
vols 754, 755.
att. 4/8/15
RSR/HY
4/8/15*