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CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No.372 of 1998

Jabalpur, this the 31st day of January, 2003.

Hon'ble Mr.R.K.Upadhyaya- Member (Admnv.)

Shri B.L.Tiwari son of Shri D.D.
Tiwari, aged 44 years, presently
working as TTA in the office of
JTO (Grp.), Vidisha, R/o 48,
Regiment Road, Bhopal-462001.

-APPLICANT

(By Advocate- None)

Versus

1. Union of India through
the Secretary, Ministry of
Communications, Sanchar Bhawan,
New Delhi.
2. The Chief General Manager (CGM),
M.P.Telecom Circle, Hoshangabad Road,
Bhopal-12 (M.P.)
3. The Telecom District Engineer,
Visidha, Madhya Pradesh.

-RESPONDENTS

(By Advocate- Mr.S.A.Dharmadhikari for
Mr.S.C.Sharma)

O R D E R (ORAL)

The applicant has challenged the impugned transfer order dated 2.4.1998 (Annexure-A-4) by which he has been transferred from Vidisha to Bareilly under S.D.O.T., Bareilly.

2. It is stated by the applicant that he was working as Telecom Technical Assistant (for short 'TTA') in the Office of Junior Telecom Officer, Vidisha. The claim of the applicant is that senior persons are transferred first and the applicant is not the senior most person. Therefore, the order of transfer deserves to be quashed. According to the applicant, his order of transfer shows the pick and choose policy of the administration. Therefore, it deserves to be cancelled.

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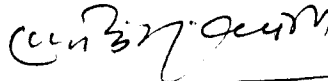
3. In the reply filed it has been stated that the present application is made on frivolous grounds. The applicant has been transferred purely on administrative grounds keeping in view the administrative exigencies. In Bareilly Telephone Exchange, there was no technical staff to look after the exchange and power plant, therefore, the applicant has been transferred and posted there in the interest of service so that the work of the Exchange and the Power Plant of Bareilly may not suffer and smooth working of telecom services could be provided to the public and the subscribers of Bareilly Exchange. The respondents have further stated that in pursuance to the order of repatriation, the applicant has joined his parent unit, and this application has become infructuous and deserves to be dismissed.

4. Nobody is present on behalf of the applicant even at the second call. Earlier when the case was listed for hearing on 30.1.2003, junior to Smt.S.Menon, counsel for applicant had appeared and stated that the counsel of the applicant pleads no instructions in this case.

5. After considering the material available on record and after hearing the learned counsel of respondents, this application is disposed of under Rule 15(1) of Central Administrative Tribunal(Procedure) Rules, 1987.

5.1 There is nothing to justify any interference in the order passed by the respondents. The applicant having joined his parent unit, the present O.A. has become infructuous.

6. In the result, the application is dismissed without any order as to costs.


(R.K. Upadhyaya)
Member (Adminv.)

Issued
on 5-2-03

पूरांकन सं ओ/व्या..... जयलपुर, दि.....
परिवर्तित अकोपित:-
(1) राशि, उदा राशालय दाय ए के निरूपण, जयलपुर
(2) ~~जयलपुर को श्रीरानी/व~~..... के काउंसल
(3) ~~जयलपुर को श्रीरानी/व~~..... के काउंसल
(4) जयलपुर को अ. जयलपुर नगरा 3
सूचना एवं आवश्यक कार्यवाही हेतु

Smt. S. Sharma, Adv
S C Sharma, Adv

Trivastava
जयलपुर 5/2/03