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THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR
ORDER SHEET

APPLICATION NO.: _____

Applicant(s)

Respondent (s)

Advocate for Applicant (s)

Advocate for Respondent (s)

NOTES OF THE REGISTRY	ORDERS OF THE TRIBUNAL
<p>Affidavit not filed. Power & Reply not filed R-183 by</p>	<p>09.10.2007 OA No. 21/2007 Mr. Nand Kishore, Counsel for applicant. Mr. Anupam Agarwal, Counsel for respondents. Learned counsel for the respondents prays further ten days' time to file affidavit in terms of order dated 02.08.2007. Time granted. List it on 13.11.2007. IR to continue till the next date.</p> <p><i>(Signature)</i> (J.P. SHUKLA) MEMBER (A)</p> <p><i>(Signature)</i> (M.L. CHAUHAN) MEMBER (J)</p> <p>AHQ</p> <p><u>13-11-07</u> Mr. Nand Kishore, Counsel for applicant Mr. Anupam Agarwal, Counsel for respondent Heard learned counsel for the parties. For the reasons dictated separately, the OA (as disposed of).</p> <p><i>(Signature)</i> (J.P. Shukla) M(A)</p> <p><i>(Signature)</i> (M.L. Chauhan) M(J)</p>

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

Jaipur, the 13th day of November, 2007

ORIGINAL APPLICATION NO. 21/2007
WITH
MISC. APPLICATION NO. 245/2007

CORAM:

HON'BLE MR. M.L. CHAUHAN, JUDICIAL MEMBER
HON'BLE MR. J.P. SHUKLA, ADMINISTRATIVE MEMBER

Shri M.L. Phulwari son of Shri D.L. Phulwari, aged about 46 years, working as Private Secretary Grade I (Gazetted) to Divisional Railway, North Western Railway, Ajmer. Resident of 912/7, Ganga Mata Colony, Paharganj, Ajmer.

By Advocate: Mr. Nand Kishore

.....Applicant

Versus

1. Union of India through Chairman, Railway Board, Rail Bhawan, New Delhi.
2. General Manager, North Western Railway, Hasanpura Road, Jaipur.
3. General Manager, Western Railway, Churchgate, Mumbai.

By Advocate: Mr. Anupam Agarwal

.....Respondents

ORDER (ORAL)

Applicant has filed this OA thereby praying for the following reliefs:-

- (i) The respondents may be directed by an appropriate order or direction to produce the entire record concerning to the case of the applicant and after examination the same the respondent No.

1 may be directed to give his approval for transferring his lien for permanent absorption on North Western Railway as already been done in case of S/Shri R.K. Sarsunia and S.M.J. Rao (Annex. A/10 & A/11) and he may be treated as regular selected candidate.

- (ii) The respondent No. 2 General Manager, North Western Railway may be directed not to dislocate the applicant from his present posting on North Western Railway till finalization of the case.
- (iii) Cost may be awarded in favour of the applicant.
- (iv) Any other directions and orders, which are, deemed proper in the facts and circumstances of the case kindly be allowed to the applicant.

2. The respondents have filed reply thereby opposing the claim of the applicant. However, during the pendency of this OA respondents have filed an MA No. 245/2007 thereby annexing the order dated 24.07.2007 (Annexure R/4). In the MA, it has been stated that the respondent No. 1 after consideration of the entire aspect of the matter had passed an order dated 24.07.2007 transferring the applicant's lien on permanent basis to North Western Railway.

3. In view of this subsequent development, the present OA does not survive. It is accordingly disposed of with no order as to costs.

4. In view of the order passed in the OA, MA No. 245/2007 is also disposed of accordingly.



(J.P. SHUKLA)
MEMBER(A)



(M.L. CHAUHAN)
MEMBER (B)

AHQ