

CENTRAL ADMINISTRATIVE TRIBUNAL  
JAIPUR BENCH, JAIPUR

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**ORDERS OF THE BENCH**

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**Date of Order: 03.05.2012**

OA No. 376/2011 with MA No. 268/2011

Mr. C.B. Sharma, counsel for applicant.  
Mr. Mukesh Agarwal, counsel for respondent no. 1.  
Mr. B.K. Pareek, proxy counsel for  
Mr. T.P. Sharma, counsel for respondent nos. 2 & 3.

Heard learned counsel for the parties.

O.A. & M.A. are disposed of by a separate order on  
the separate sheets for the reasons recorded therein.

  
(JUSTICE K.S. RATHORE)  
MEMBER (J)

Kumawat

**CENTRAL ADMINISTRATIVE TRIBUNAL  
JAIPUR BENCH, JAIPUR**

**ORIGINAL APPLICATION NO. 376/2011  
WITH  
MISC. APPLICATION NO. 268/2011**

DATE OF ORDER: 03.05.2012

**CORAM**

**HON'BLE MR. JUSTICE K.S. RATHORE, JUDICIAL MEMBER**

K. C. Meena S/o Shri Rameshwar Lal, aged about 43 years, R/o 2/34, Housing Board, Sikar and presently holding the post of Deputy General Manager, O/o General Manager Telecom District, Bharat Sanchar Nigam Limited (BSNL), Sikar SSA, Sikar.

...Applicant

Mr. C.B. Sharma, counsel for applicant.

**VERSUS**

1. Union of India through its Secretary to the Government of India, Department of Telecommunications, Ministry of Communication and Information Technology, 20 Ashoka Road, Sanchar Bhawan, New Delhi – 110001.
2. Chairman cum Managing Director, Bharat Sanchar Nigam Limited (BSNL), Corporate Office Bharat Sanchar Bhawan, Harish Chander Mathur Lane, Jan Path, New Delhi.
3. Chief General Manager Telecommunications, Rajasthan Telecommunication Circle, Bharat Sanchar Nigam Limited (BSNL), Sardar Patel Marg, C-Scheme, Jaipur – 302008.

...Respondents

Mr. Mukesh Agarwal, counsel for respondent no. 1.

Mr. B.K. Pareek, proxy counsel for

Mr. T.P. Sharma, counsel for respondent nos. 2 & 3.

**ORDER (ORAL)**

The present Original Application is directed against the impugned order dated 13<sup>th</sup> July, 2011 by which the applicant has been transferred from Sikar (Rajasthan) to Maharashtra Telecom Circle.

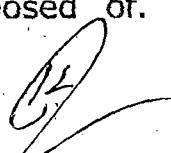
2. This Bench of the Tribunal while issuing the notice to the respondents on 25.08.2011, granted an ex-parte interim order



directing the respondents not to relieve the applicant pursuant to the transfer order dated 13.07.2011 (Annex. A/1), if he has not been relieved so far till the next date of hearing. Admittedly, pursuant to the interim order dated 25.08.2011, the applicant was allowed to continue at Sikar (Rajasthan).

3. After filing reply to the Original Application, the applicant has filed rejoinder to the Original Application and brought certain orders on record along with the rejoinder with regard to the subsequent events, which reveal that during the pendency of this Original Application, the applicant vide order dated 09.11.2011 (Annex. A/15) has been repatriated to his parent department viz. DoT with effect from 09.11.2011 (A/N). Vide Memo dated 09.11.2011 (Annex. A/16) issued by the General Manager Telecom District, BSNL, Sikar, the applicant has been relieved & struck off from the strength of Sikar – SSA w.e.f. 09.11.2011 (A/N) with a direction to report to Sr. DDG (TEC) Telecommunication Engineering Centre, New Delhi, and it is not disputed that vide joining report/letter dated 18.11.2011 (Annex. A/18), the applicant has joined his duty on 18.11.2011 in the department of DoT.

4. Since the applicant has joined his duty on 18.11.2011 (F/N) vide joining report/letter dated 18.11.2011 (Annex. A/18) in his parent department consequent upon his repatriation, the challenge to the transfer order dated 13<sup>th</sup> July, 2011 (Annex. A/1) qua the applicant is now meaningless and, therefore, the present Original Application does not survive more on merit and, accordingly, the same stands disposed of. As the Original



Application itself has been disposed of, the Misc. Application for vacation of ex-parte interim order dated 25.08.2011 filed on behalf of the respondents also stands disposed of as having become infructuous.

*K.S. Rathore*

(JUSTICE K.S. RATHORE)  
JUDICIAL MEMBER

kumawat