

**CENTRAL ADMINISTRATIVE TRIBUNAL  
JAIPUR BENCH, JAIPUR**

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ORDER SHEET**

**ORDERS OF THE TRIBUNAL**

10.12.2014

OA No. 358/2012 with MA 291/00394/2014

Mr. P.N. Jatti, Counsel for applicant.

Mr. Mukesh Agarwal, Counsel for respondents.

Heard the learned counsel for the parties. The OA as well as MA are disposed of by a separate order.

*Anil Kumar*  
(Anil Kumar)  
Member (A)



(B.V. Rao)  
Member (J)

*Abdul*

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,  
JAIPUR BENCH, JAIPUR.

**ORIGINAL APPLICATION No. 358/2012**  
**WITH**  
**MISC. APPLICATION NO. 291/00394/2014**

**DATE OF ORDER : 10.12.2014**

CORAM :

**HON'BLE MR. B.V. RAO, JUDICIAL MEMBER**  
**HON'BLE MR. ANIL KUMAR, ADMINISITRATIVE MEMBER**

Om Prakash Singhal son of Late Shri Shiv Pal Singhal by caste Meghwali, aged about 54 years. Resident of D-472, Jagdamba Nagar, Ajmer Road, Jaipur. Presently working as Driver in the Office of the M.S.M.E. (Micro, Small and Medium Enterprises), Government of India, Baaees Godam Industrial Estate, Jaipur.

... Applicant

(By Advocate: Mr. P.N. Jatti)

Versus

1. Union of India through the Secretary, Ministry of MSME (Micro, Small and Medium Enterprises), Udyog Bhawan, New Delhi.
2. Development Commissioner and Additional Secretary, Ministry of Micro, Small and Medium Enterprises, 7<sup>th</sup> Floor, New Delhi.
3. Director, Micro, Small and Medium Enterprises, Baaees Godam, Industrial Estate, Jaipur.
4. Shri P.C. Gupta, Assistant Director (L&F), Administrative Office of MSME (Micro, Small and Medium Enterprises) TDC hand tools Nagaur (Rajasthan).

... Respondents

(By Advocate: Mr. Mukesh Agarwal)

**ORDER (ORAL)**

The applicant has filed the present OA against the order dated 26.08.2011 (Annexure A/1) whereby the applicant was transferred from MSME Development Institute, Jaipur to MSME-TDC and tools Nagaur with immediate effect and stand relieved on 30.08.2011 (afternoon as Driver (Grade II)).



2. During the pendency of the OA, while the applicant is working at Nagaur being Driver Grde II from the date of joining, he was promoted to the cadre of Driver Grade I vide order dated 06.07.2012 (Annexure MA/1). The applicant in pursuance of his promotion order dated 06.07.2012, joined on 09.07.2012 on the post of Driver Grade I (Annexure MA/2).

3. That thereafter vide order dated 01.07.2014 (Annexure MA/3), the applicant has been transferred from MSME-TDC-HT Nagaur to MSME DI Karnal against existing vacancy with immediate effect and in pursuance of same, he has joined at Karnal on 23.07.2014. The Dy. Director (Chem./Admn.) for Director had also written a letter dated 24.07.2014 to the Development Commissioner, New Delhi in this regard that the applicant has joined the post on 23.07.2014.

4. The learned counsel for the respondents submitted that in view of the subsequent development, it is clear that the transfer order dated 26.08.2011 (Annexure A/1) has been implemented as the applicant has already joined at Nagaur at the relevant time and further after his promotion as Staff Car Drvier Grade I vide order dated 06.07.2012 at Nagaur, he has been further transferred from Nagaur to Karnal vide order dated 01.07.2014 and there he has already joined on 23.07.2014. Thus the OA of the applicant has become infructuous and liable to be dismissed. The learned counsel for the applicant does not dispute the above facts.



5. The respondents have filed MA No. 291/00394/2014 for taking all these orders on record. The MA is allowed. All these documents are taken on record.

6. In view of the subsequent development that the applicant has been further transferred from Nagaur to Karnal vide order dated 01.07.2014 and there the applicant has already joined on 23.07.2014, the present OA has become infructuous.

7. Consequently the OA is dismissed as having become infructuous.

  
(Anil Kumar)

Member (A)

  
(B.V.Rao)  
Member (J)

Abdul