

**THE HON'BLE SRI JUSTICE K.C.BHANU
AND**

THE HON'BLE MRS JUSTICE ANIS

-
WRIT PETITION No.41029 OF 2014

ORDER:- (per Hon'ble Sri Justice K.C.Bhanu)

This writ petition is filed challenging the order, dated 06.06.2014, in O.A.No.020/0234/2014 on the file of the Central Administrative Tribunal, Hyderabad Bench, Hyderabad (for short, "the Tribunal").

2. The petitioner joined as Pharmacist-II in Guntakal Division of South Central Railway during January, 1996 and was given promotion to the merged cadre of Pharmacist Grade-I during 2009. While working at Kadapa since October, 2007, he submitted a request transfer application to respondent No.3 for transfer to Railway Hospital, Guntakal vide letter, dated 03.01.2014. Basing on the said request transfer application to respondent No.3, he was transferred from Kadapa to Guntakal by the competent authority on 29.01.2014. In the meanwhile, on 13.01.2014, the petitioner made an application withdrawing the request transfer application, dated 03.01.2014, and that has not been accepted.

3. Petitioner/applicant filed the aforementioned Original Application before the Tribunal to call for the records pertaining to Office Order No.SCR/P-HQ/121/MD/PHA/Vol.XII issued under letter, dated 29.01.2014, and declare the action of respondent No.2 in transferring him from Kadapa to Guntakal showing it as a request transfer and posting respondent No.5 in his place at Kadapa as illegal and arbitrary, and consequently, to set aside the same and quash the said office order to the extent of the applicant and respondent No.5 is concerned and direct respondent Nos.1 to 5 herein to retain the applicant at Kadapa.

4 . The Tribunal, upon considering the material on record, dismissed the aforementioned Original Application. Challenging the same, applicant filed the present writ petition.

5. Heard.

6. It cannot be said that without considering the letter of withdrawal, dated 13.01.2014, the request has been accepted by the competent authority to transfer the petitioner from Kadapa to Guntakal. Hence, the Tribunal rightly passed the impugned order and that order needs no interference by this Court and the writ petition is liable to be dismissed.

7. Accordingly, the Writ Petition is dismissed. There shall be no order as to costs. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE K.C.BHANU

JUSTICE ANIS

Date: 31.12.2014
AMD



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AMD