

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

OA No. 53/2001

New Delhi, this the 14th day of the May, 2001

HON'BLE MR. S.A.T.RIZVI, MEMBER (A)

Mr. Shankar Sharma,  
aged about 36 years,  
S/o Sh. M.D. Sharma,  
J-4/128-B, DDA Flats,  
Kalkaji,  
New Delhi : 110 019 ..... Applicant  
(By Advocate : Shri M.L. Chawla)

V E R S U S

1. The Commissioner,  
Kendriya Vidyalaya Sangathan,  
18, Institutional Area,  
S.J.S. Marg,  
New Delhi - 110 016
2. Mr. N.N. Mishra,  
Principal,  
K.V. Sector VIII,  
R.K. Puram, New Delhi
3. Ms Neerja Shukla,  
Reader, NCERT/E.C. Member,  
New Delhi
4. Mr. Baldev Mahajan,  
Chairman, V.M.C., K.V. Sec. VIII,  
D-72, Defence Colony,  
New Delhi ..... Respondents  
(By Advocate: Shri S. Rajappa)

O R D E R (ORAL)

BY S.A.T. RIZVI, MEMBER(A) :

Impugned by his transfer order, the applicant had filed OA No. 53/2001. Subsequently he filed MA 711/2001 seeking the protection of this Tribunal against the show cause notice issued on 5.3.2001. Notice was ordered to be issued to the respondents for filing their reply to the aforesaid MA. At the same time, the respondents were allowed to file a detailed reply to the OA by this Tribunal's order of 9.4.2001. While the respondents have not filed their reply to the aforesaid MA, the respondents have proceeded to pass an order dated 30th April, 2001, removing the applicant from

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service. It is this removal order which is sought to be impugned now by filing a fresh MA No. 1048/2001. The cause of action has, therefore, under ~~the~~ <sup>- gone &</sup> a drastic change from transfer to removal from service. The applicant should, therefore, file a fresh OA in which he can impugn the transfer order as well. A fresh OA as and when filed by the applicant will have to be placed before the Division Bench. Meanwhile, the present OA No. 53/2001 stands disposed of as withdrawn with liberty. d

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P. K. Rizvi

(S.A.T. RIZVI)  
MEMBER (A)

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