

CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

O.A.No.620/99 with MA.No.1792/99 & CP.196/99.

New Delhi: this the 16th day of September, 1999.

HON'BLE MR. S. R. ADIGE, VICE CHAIRMAN (A).

HON'BLE MR. KULDIP SINGH, MEMBER (J)

Prof. Ved Prakash Malik,
S/o Late Shri C.B. Malik,
Flat No.2, Lady Hardinge Medical College,
Campus, Gole Market.,
New Delhi-110001 Applicant.
(In person).

Versus

1. The Principal (Prof. Kusum Sehgal),
Lady Hardinge Medical College, Gole Market,
New Delhi-110001.
2. The Accounts Officer (Mr. Suresh Kumar),
Lady Hardinge Medical College,
Gole Market,
New Delhi-110001 Respondents.

(By Advocate: Shri D. S. Mahendru).

ORDER

HON'BLE MR. S. R. ADIGE, VICE CHAIRMAN (A).

Applicant seeks pay and allowances from 16.6.98 till date, and has claimed the reliefs contained in sub-paras (a) to (r) of para 8 of the O.A.

2. We have heard applicant who argued his case in person, and Shri D. S. Mahendru for respondents.
3. Applicant who was posted as Professor Forensic Medicine and Toxicology, Lady Hardinge Medical College, New Delhi, does not deny in his rejoinder the specific averment made by respondents in their reply that he stands transferred to Jawahar Lal Institute of Post Graduate Medical Education & Research (JIPMER) Pondicherry vide order dated 16.6.98 and has been paid

all admissible dues upto 15.6.98 (refer para 4.17 of respondents' reply) and thereafter he is entitled to draw his salary from JIPMER Pondicherry after joining there.

4. In so far as applicant's claims contained in sub-paras (a) to (r) of para 6 of his OA are concerned, respondents in their corresponding reply to that para have given the factual position in respect of each of these claims, to which again there is no specific denial in applicant's rejoinder, except in regard to the admissibility of joining time to him, but even that joining time has long since expired, as the transfer order was issued on 16.6.98.

5. It is apparent to us that applicant is deliberately and wilfully avoiding implementing the transfer order dated 16.6.98 and is raising these claims to delay complying with the same. This is an abuse of the process of law.

6. The OA and connected MA No.1792/99 & C.P No.196 of 1999 are dismissed. No costs.

Kuldeep
(KULDIP SINGH)
MEMBER(J).

Adige
(S. R. ADIGE)
VICE CHAIRMAN (A).

/ug/