

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

O.A. No. 1261/98

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New Delhi this the 21st Day of July 1998

Hon'ble Shri R.K. Ahooja, Member (A)

Shri Krishan Pal Sharma,
S/o Shri Sukhbir Sharma,
R/o 735 Delhi Govt. Flats,
Gulabi Bagh, Delhi-7 and
Employed as Care-taker in the
Deptt. of Social Welfare,
Govt. of NCT of Delhi, Delhi.

Petitioner

(By Advocate: Shri D.R. Gupta)
-Versus-

1. Director of Social Welfare,
Govt. of NCT of Delhi.
1, Canning Lane, Curzon Road,
New Delhi
2. Govt. of NCT of Delhi through
Secretary, Social Welfare,
5, Sham Nath Marg,
Delhi-54.

Respondents

ORDER (Oral)

The applicant ^{who} is working as Care Taker in the Directorate of Social Welfare, NCT of Delhi was transferred from Govt. School for Blind Boys, Kingsway Camp on 20.5.1998. His grievance is that when he reported for duty at his new place of posting, he was not allowed to join duty in the absence of the relieving order from the Principal of the Govt. School of Blind Boys, Kingsway where he was working previously. He has also submitted that certain matters regarding regularisation of the period of leave availed of by him while posted in the Office of the Chief Minister and Transport Minister are still to be settled by the respondents and his claim for a LTC for 1996 has also not been settled. He has, therefore come before the Tribunal seeking a direction to the respondents to assign him proper duty by giving him the relieving order and to pay

him salary accordingly and also to consider his request for transfer outside the Department of Social Welfare where he alleges he is being victimised. On notice having been issued to the respondents, Shri Rajinder Pandita has appeared on their behalf and has submitted that the applicant has joined his new place of posting on 18.7.1998. In support thereof he has produced a copy of the order by the Joint Director, Department of Social Welfare. In view of this learned counsel for the respondents submits that nothing survives in the O.A.

2. Shri D.R. Gupta, learned counsel for the applicant argues that the respondents has still to take a decision on the period during which the applicant was not allowed to join his duty and also on his request for transfer from the Department of Social Welfare. Shri Rajinder Pandita submits that if a proper representation is made regarding his transfer, the respondents will certainly consider it and pass the necessary orders.

3. In view of the facts and circumstances of the case I consider it proper to dispose of the OA at the admission stage itself by a direction to respondents to take a decision on the question of intervening period before the applicant joined his new place of posting, within a period of two months from the date of receipt of a copy of this order. If the applicant files a representation for transfer from the Department of Social Welfare, the respondents will consider the same and dispose it off with a reasoned and speaking order and convey the same to the applicant within three months from the date of receipt of this order.

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4. Shri D.R. Gupta submits that the applicant had filed an application in respect of the regularisation of his leave which is still pending with the Director of Social Welfare and about which he had also made a prayer, been heard. I do not consider that this relief related to the main relief sought at by the applicant in respect of his transfer and therefore requires no direction.

R.K. Ahuja
(R.K. Ahuja)
Member (A)

Mittal*