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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

...

C.P. No.264 of 1995
in
O.A. No.2414 of 1994

Dated New Delhi, this 23rd day of February, 1996

HON'BLE MR JUSTICE P. K. SHYAMSUNDAR, ACTING CHAIRMAN
HON'BLE MR K. MUTHUKUMAR, MEMBER(A)

Om Prakash
S/o Late Shri Ganga Ram
Deputy Supdt. Central Jail, Tihar
NEW DELHI.

... Applicant

By Advocate: Shri P. L. Mimroth

versus

1. Shri P. K. Dave
Lt. Governor
The National Capital Territory of Delhi
Raj Niwas
DELHI.

2. Shri P. P. Chauhan
Chief Secretary
Government of National Capital
Territory of Delhi
5 Sham Nath Marg
DELHI.

3. Shri R. S. Gupta
I. G. Prison
Central Jail, Tihar
NEW DELHI.

... Respondents

By Advocate: Shri Jog Singh

O R D E R (Oral)

Mr Justice P. K. Shyamsundar

We heard this matter for sometime and were then apprised by the learned counsel for the respondents that by the end of March 1996, all formalities for filling up the post of Deputy Superintendent (Jail), the post on which the applicant is reluctantly holding at present, will be completed and a new incumbent posted which would automatically result in the applicant being

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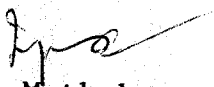
reverted back to his parent department as Administrative Officer. The applicant who was working as Administrative Officer in the Delhi Administration, is stated to have been shifted as Deputy Superintendent Grade-I, Central Jail, Tihar, New Delhi. He apparently did not welcome the change from the Administrative Department to the placing in the Jail as Deputy Superintendent although he did join the new post. Subsequently, he challenged the transfer order by filing an O.A. being No.2414/95 before the Tribunal which was disposed off on 19th April, 1995 mostly on the statement made at the Bar by counsel appearing on behalf of the Delhi Administration that the applicant will be sent back to his parent department as and when the post of Deputy Superintendent (Jail) Grade-I would be filled up and very probably that post would be filled up in about six months' time. The learned Judge disposed off that application, inter alia, giving a direction to abide by the statement made on behalf of the department and passed an order accordingly. It is almost about an year ^{that} these directions were made, even now it remains unfulfilled. We have now been told by the learned counsel appearing on behalf of the Delhi Administration that appointment to the post of Deputy Superintendent will be finalised by the end of March 1996 and the applicant will then be reverted back to his parent

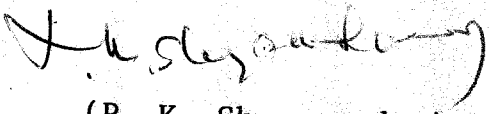
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department presumably to his original post. We place on record this statement of learned counsel on the basis of the instructions given to him by the Deputy Secretary of the Delhi Administration, Shri Rakesh Bhatnagar who is also present in the Court. In the circumstances, we direct the respondent to abide by the statement made before Court on their behalf that by the end of March 1996 the post ^{presently} held by the applicant will be filled up and the applicant will be released from the present responsibility and sent back to his parent department.

With these observations and directions, this C.P. is disposed off finally. No costs.


(K. Muthukumar)
Member(A)


(P. K. Shyamsundar)
Acting Chairman

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