CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI.

OA No. 1206 of 1995.
New Delhi, this the 12th day of July, 1995.

HON'BLE MR B.K. SINGH, MEMBER(A)

Shri N.P.S. Negi,
working as Workcharged Work Sarkar Gr. II
in Megna Circle Investigating Sub Division No. III,
Silchar.
... ... Applicant.

(In person)

Vs.

Union of India,
through Chairman,
Central Water Commission, Sewa Bhavan,
R.K. Puram, New Delhi.
... ... Respondent.

(None)

ORDER(oral)
(delivered by Hon'ble Mr B.K. Singh, Member(A)

The present application OA No. 1206/95 has
been filed by the applicant against the transfer
order passed by the competent authority shifting
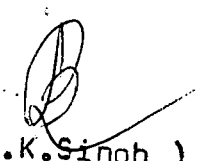him from Delhi to Silchar.

The matter had already came up before
this Court in O.A. No. 672 of 1993 and the
operative portion of the order passed in that
O.A. is extracted below:

"Keeping in view the facts and
circumstances of the present case, I do
not think that this is a fit case where
the Tribunal should interfere. However,
the respondents may consider the
possibility of adjusting him in a lowest
post at Delhi in case such a representation
is made by the applicant."

Once an issue has already been decided by
a competent Court of concurrent jurisdiction, the
same issue cannot be raised again. In case of
Daryao vs. State of U.P. 1961, the Hon'ble Supreme
Court has stated that the principle of res-judicata
is not a technical principle but a rule of law in
order to avoid litigation on the same issue between
the same parties and also to avoid vaxation to the
aggrieved party and, therefore, this is to be
treated as a rule of law and binding on all the
Courts universally.

This matter, relating to the transfer,
has been finally adjudicated upon by this Court
in O.A. No. 672 of 1993, decided on 24.10.1994, and, as
such, is totally barred by the principles of
res judicata and accordingly it is dismissed as
such. Shri D.S. Choudhary, the learned counsel
for the applicant appeared subsequently after
the judgment was dictated in the presence of the
applicant in The Open Court.

(B.K. Singh)
Member (A)

/sds/