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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH  
NEW DELHI

O.A. No. 2297 of 1995

New Delhi, dated the 8th January, 1996

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

Shri D.V.S. Vaid,  
Asstt. Engineer (Civil),  
Dept. of Posts, Dak Bhawan,  
Parliament Street, New Delhi.

R/o 85, Priya Enclave,  
Delhi-110092.

..... APPLICANT

(By Advocate: Shri B.S. Mainee)

VERSUS

1. Union of India through the  
Secretary,  
Ministry of Communications,  
Sanchar Bhawan,  
Parliament Street,  
New Delhi.

2. The Director (BW),  
Dept. of Telecom.,  
Sanchar Bhawan,  
20, Ashoka Road,  
New Delhi.

3. The Chief Engineer (Civil), Postal  
Dept. of Posts,  
Dak Bhawan,  
Parliament Street,  
New Delhi.

4. The Superintending Engineer (Civil), M.).  
Dept. of Posts,  
Ministry of Communications,  
Dak Bhawan,  
New Delhi.

..... RESPONDENTS

(By Advocate: Shri V.K. Mehta)

ORDER (ORAL)

BY HON'BLE MR. S.R. ADIGE, MEMBER (A)

I have heard Shri B.S. Mainee for the applicant, and Shri V.K. Mehta for the Respondents. I have also perused the materials on record.

2. Shri Mainee has stated at the bar that the applicant, Shri D.V.S. Vaid is seeking to <sup>continue</sup> at his present place of posting i.e. Delhi till 31.3.1995

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in the interests of the education of the children and would not have any objection in proceeding to his <sup>new</sup> place of posting i.e. Ambala immediately after 31.3.1996.

2. As the transfer order has been issued in mid-session, and there is nothing on record to indicate that the presence of the applicant is required at Ambala as an immediate <sup>and urgent</sup> necessity, and having regard to the ruling of the Hon'ble Supreme Court in Director of School Education, Vs. Kiruppathavan 1994 (28) ATC page 19, the Respondents are called upon to effect the <sup>transfer</sup> order only after 31.3.1996.

3. It is made clear that the applicant should proceed to Ambala as per transfer order <sup>immediately</sup> after 31.3.96 and fully cooperate with the authorities in this regard.

4. Before parting with this case, applicant's counsel <sup>to his intention</sup> has invited my attention that the applicant has not been paid his salary for the last two months. If so, the applicant should be paid his legitimate dues without any delay, preferably within a week's time from the date of receipt of a copy of this judgment.

5. This O.A. is disposed of accordingly.  
No costs.

/GK/

*S.R. Adige*  
(S.R. ADIGE)  
Member (A)