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CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH

Original Application No. 2232/2000

New Delhi, this the 14th day of December, 2000

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

G.K. Gaur S/o ABL Gaur
R/o G-23, NPL Colony, New Delhi. ..Applicant.

(By Advocate: Shri H.C. Sharma)

Versus

1. Union of India
Through Director General,
Council of Scientific & Industrial
Research (CSIR),
Anusandhan Bhawan,
Rafi Marg,
New Delhi.
2. Director Indian National Scientific
Documentation
Centre (INSDOC)
14, Satsang Vihar Marg,
New Delhi-110 067.
3. Professor T. Vishwanathan
former Director, INSDOC,
C-568, New Friends Colony,
New Delhi.

-RESPONDENTS

(By Advocate: Shri V.S.R. Krishna)

O R D E R (ORAL)

By Hon'ble Mr. Kuldip Singh, Member (Judl)

The applicant has filed this OA seeking the following reliefs:-

(a) Command respondent No.2 to clarify his remarks on A-1 retaining the applicant at Delhi as directed by Hon'ble Delhi High Court in C.W. No.6375/2000.

(b) To allow costs of the OA.

2. The facts in brief are that the applicant in

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this case was promoted as Stores Purchase Officer and was given option for posting at Delhi, Meerut or Lucknow. The applicant opted for Lucknow, but subsequently it is stated the respondents verbally asked him to move to Lucknow but no order was passed. Thereafter, the applicant filed an OA No.599/2000 challenging his transfer which was dismissed. Against that order, the applicant had gone to the Hon'ble High Court and he has alleged that the High Court had given him liberty to seek clarification from respondent No.2 as to why the petitioner was retained at Delhi.

3. I have heard the learned counsel for the parties.

4. I have also gone through the order of the Hon'ble High Court and find that the petition filed there was dismissed in limine and the only liberty given to the petitioner was to take steps to get himself relieved in case he has not yet been relieved from the post for transfer to Lucknow. During the course of the arguments, the learned counsel for the respondents have also pointed out that the applicant was relieved earlier and he was also sanctioned advance for the purpose of joining at Lucknow vide OM dated 11.4.2000, so it is the applicant who has to proceed to join Lucknow. The learned counsel for the applicant pointed out that he has not been allowed to hand over charge and for this purpose sometime will take and as such he should be allowed time to hand over the charge.

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5. I have considered the rival contentions of the parties and keeping in view the background and circumstances of the case, I direct that the applicant shall take effective steps to get himself relieved including handing over of charge etc. and shall join his duties at Lucknow within 2 weeks from today.

6. OA is disposed of with the above directions.
No costs.


(KULDIP SINGH)
MEMBER (JUDL)

/Rakesh