

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
NEW DELHI 3

O.A. No. 921/89 198

T.A. No.

CCP 86/89

DATE OF DECISION 19-5-1989

D.P. Singh

Petitioner

Shri B.S. Charya

Advocate for the Petitioner(s)

Versus

Delhi Administration

Respondent

Mrs. Aynish Ahlawat

Advocate for the Respondent(s)

**CORAM :** Hon'ble Mr. P.K. Kartha, Vice-Chairman.

Hon'ble Mr. D.K. Chakravorty, Administrative Member

The Hon'ble Mr.

The Hon'ble Mr.

1. Whether Reporters of local papers may be allowed to see the Judgement ? *Yes*
2. To be referred to the Reporter or not ? *No*
3. Whether their Lordships wish to see the fair copy of the Judgement ? *No*

*D.K. Chakravorty*  
( D.K. CHAKRAVORTY )  
MEMBER (A)

*P.K. Kartha*  
( P.K. KARTHA )  
VICE CHAIRMAN

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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

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Regn.No. OA 921/89  
CCP 86/89

Date 2 19- 5-1989

Shri D.P. Singh

... Petitioner

Versus

Delhi Administration

... Respondents

For the Petitioner

.. Shri B.S. Charya,

For the Respondents

.. Mrs. Avnish Ahlawat

CORAM : Hon'ble Mr. P.K. Kartha, Vice-Chairman (Judl.)

Hon'ble Mr. D.K. Chakravorty, Admn. Member.

(Judgement of the Bench delivered by Hon'ble  
Shri P.K. Kartha, Vice-Chairman).

The applicant who is working as a Motor Licensing Officer in the Office of the Directorate of Transport, Delhi Administration, filed this application under Section 19 of the Administrative Tribunal Act, 1985, praying for the quashing of the impugned order of transfer dt 20-4-1989 and for calling upon the respondents not to withhold his promotion to the post of Dy. Director (Transport) pursuant to the said impugned order of transfer.

2. The application was admitted on 3-5-1989 when notice was issued to the respondents on admission and interim relief returnable on 17-5-1989. An interim order was also passed on that day stating that status quo as of that date be maintained till 17-5-1989.

3. In the meanwhile, the respondents have also filed CCP 86 of 1989 against the applicant.

4. The case was listed for further directions on 19-5-1989 when we heard the learned counsel

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contd...

counsel of both parties. By the impugned order dt. 20-4-1989, the respondents have sought to transfer the applicant from the post of M.L.O., Janakpuri to the post of M.L.O., Govt. Motor Driving Training School, Loni Road, Shahdra. During the arguments, the learned counsel for the respondents submitted that without prejudice to the rights and contentions of the parties, the respondents are willing to modify the impugned order dated 20-4-1989. The modification is to the effect that the respondents would post the applicant at the Head Office of the Office of Directorate of Transport, Under Hill Road, Delhi as M.L.O. and that a separate order will be issued in this behalf.

5. The learned counsel of the applicant stated on instructions that without prejudice to the rights and contentions of the applicant, the applicant would be agreeable to join the post at the Head Office as M.L.O. on the receipt of a fresh order.

6. In view of the foregoing, we do not consider it necessary to go into the rival contentions advanced in the application, counter affidavit and rejoinder affidavit as also the CCP and its reply.

7. The application and the CCP are disposed of on the above lines. The parties to bear on their cost.

*Chakravorty*  
( D.K. CHAKRAVORTY )  
MEMBER (A)  
19-5-1989

*Karthika*  
( P.K. KARTHA )  
VICE CHAIRMAN (J)  
19-5-1989