

4

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
NEW DELHI

O.A. No.                      717                      1988  
T.A. No.

DATE OF DECISION 11.7.1988

Shri K.L.Rehani,                                      Petitioner

Shri A.K.Sikri,                                      Advocate for the Petitioner(s)

Versus

President, Income Tax Appellate Tribunal  
& others                                      Respondent s

Shri P.H.Ramchandani,                                      Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. Justice K. Madhava Reddy, Chairman

The Hon'ble Mr. Birbal Nath, Member.

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
4. Whether to be circulated to all the Benches ? No

2/11/7/88  
( BIRBAL NATH )  
MEMBER

[Signature]  
( K. MADHAVA REDDY )  
CHAIRMAN

5

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI.

REGN. NO. OA 717/88

Date of decision: 11.7.1988

Shri K.L.Rehani

.....

Applicant

Vs.

President, Income Tax Appellate .....  
Tribunal, New Delhi & others.

Respondents

Coram: Hon'ble Mr. Justice K. Madhava Reddy, Chairman  
Hon'ble Mr. Birbal Nath, Member.

For the Applicant

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Shri A.K.Sikri, Counsel.


For the Respondents

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Shri P.H.Ramchandani,  
Counsel.

(Judgement of the Bench delivered by Hon'ble  
Mr. Justice K. Madhava Reddy, Chairman)

This is an application under Section 19 of the Administrative Tribunals Act, 1985 calling in question the transfer of the applicant from Delhi to Chandigarh. Though initially interim stay of the impugned order was granted, later on it was modified and the applicant was allowed to join at Delhi and proceed on leave. It is now brought to our notice that the applicant has made a representation to the President of the Income Tax Appellate Tribunal to cancel the order of transfer in the light of the circumstances submitted therein. The learned counsel for the applicant states that applicant's wife is suffering from night blindness and is employed in Delhi as a teacher and he himself is to retire within 2½ years. We have no doubt that the President of the Income Tax Appellate Tribunal before whom the representation of the applicant is pending will take these and all relevant factors mentioned by the applicant in his representation into consideration while disposing of the same. If the applicant's representation is disposed of favourably,

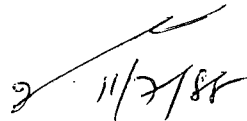


there will not be any occasion to move this Tribunal. If it is rejected, it will of course, be open to the applicant to call in question the said order which will then be considered on its own merits.

2. The President of the Income Tax Appellate Tribunal may consider the applicant's representation and dispose off the same in the light of the observations made hereinabove within a period of two weeks from the date of receipt of this order.

3. This application is disposed off in the above terms.

4. Order (Dasti).

  
( BIRBAL NATH )  
MEMBER

  
( K. MADHAVA REDDY )  
CHAIRMAN

11.7.1988