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CENTRAL ADMINISTRATIVE TRIBUNAL
DELHI.

Application No. OA 57 of 1986.

Shri Baljor Singh through Shri B.S.Charya, Advocate

Versus


The General Manager,
Northern Railway, through Shri K.N.R.Pillay, Advocate
New Delhi

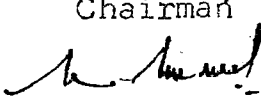
CORAM:

Shri Justice K.Madhava Reddy, Chairman.

Shri Kaushal Kumar, Member.

1. Whether Reporters of local papers
may be allowed to see the judgment? No
2. To be referred to the Reporter
or not? No
3. Whether to be circulated to all
Benches? No
4. Whether fair copy to be typed for
perusal? No


(K.Madhava Reddy)
Chairman 14.2.86.


(Kaushal Kumar)
Member 14.2.86.

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Shri Baljor Singh

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Versus

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CORAM: -

Shri Justice K.Madhava Reddy, Chairman. ✓

Shri Kaushal Kumar, Member.

For petitioner

... Shri B.S.Charya, Advocate.

For respondent

... Shri K.N.R.Pillay, Advocate

(Judgment of the bench delivered by.
Shri Justice K.Madhava Reddy, Chairman).

Shri K.N.R.Pillay, learned counsel for the respondent stated that the respondent would not insist upon the petitioner complying with the order of transfer and would only like to proceed before the Estate Officer for his eviction; hence no further orders on this petition are necessary. In our view, that would not redress the grievance of the petitioner. The order of transfer appears to have been made only because he was not vacating the railway quarter and the cases filed against him before the Railway Magistrate were dismissed. That cannot be a valid ground for transfer. The order of transfer is, therefore, quashed. It is, however, made clear, the quashing of this order would not stand in the way of respondents taking such other steps as they are entitled to under law for seeking the eviction of the petitioner from the quarter he is occupying provided it is unauthorised occupation. Equally the petitioner is entitled to invoke all such defences and remedies as are open to him in law. Nothing said herein will stand in the way of either parties in this regard.

2. The petition is allowed to the extent indicated above, but in the circumstances without any order as to costs.

(K. Madhava Reddy)
Chairman 14.2.1986.

(Kaushal Kumar)
Member 14.2.1986.