

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

DA NO. 366/90

DATE OF DECISION: 28.8.1990.

SHRI PRITAM KUMAR

APPLICANT

VERSUS

UNION OF INDIA & OTHERS

RESPONDENTS

SHRI R.L. SETHI

COUNSEL FOR THE APPLICANT

SHRI SHYAM MOORJANI

COUNSEL FOR THE RESPONDENTS

CORAM:

THE HON'BLE MR. T.S. OBEROI, MEMBER (J)

THE HON'BLE MR. I.K. RASGOTRA, MEMBER (A)

JUDGEMENT (ORAL)

The applicant's grievance in the present OA is that while disposing of his earlier application numbered as 1981/88, it was also mentioned therein that the respondents may also consider the plea raised by the applicant with regard to the post held by the applicant, being transferred to Kurukshetra as before, which has not been complied with, by the respondents. The learned counsel for the applicant also brought to our notice that inspite of a representation dated 3.1.1990, duly forwarded by his immediate officer, to the authority concerned, no action has been taken by the concerned authority so far. The applicant, therefore, by way of the present application (OA) prays for that :

Direction be issued to the respondent concerned for doing the needful, in accordance with the directions, earlier issued by this Tribunal, as referred to above. Counter has been filed on behalf of the respondents, in which the prayer made by the applicant, as briefly mentioned above, has been opposed.

[Signature]

(B)

2. We have given our careful consideration to the submission made by the learned counsel for the applicant. We have also considered the order passed by the Tribunal in OA-1918/88, item-3 of the last paragraph. A perusal thereof shows that while disposing of the said OA, it was left to the respondents to consider the applicant's prayer with regard to the post held by him, being transferred to Kurukshetra as before, and there was no specific direction to this effect, to the respondents. In view of the same, we leave it to the respondents' discretion to consider the request made, in this respect.

3. With the above, the OA is disposed of, with no orders as to the costs.

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(I.K. RASGOTRA)
MEMBER(A)

26/8/90
(T.S. OBEROI)
MEMBER(J)