

CENTRAL ADMINISTRATIVE TRIBUNAL : PRINCIPAL BENCH

OA 451/2004

New Delhi, this the 21st day of July, 2004

Hon'ble Sh. Sarweshwar Jha, Member (A)

Dr. Anil Kumar Mehra  
S/o Sh. K.N.Mehra  
R/o 686, Gali No.11  
Adjacent to Kali Mata Mandir  
Bhola Nath Nagar, Shahdara  
New Delhi - 32.

...Applicant

(By Advocate Sh. Harpreet Singh  
proxy for Mrs. Harvinder Oberoi)

V E R S U S

Govt. of NCT of Delhi through

1. Secretary (Medical)  
Govt. of NCT of Delhi  
8th Floor, T-Wing  
New Sector, I.P.Estate  
New Delhi.

2. The Secretary  
Ministry of Health and Family Welfare  
Nirman Bhawan, New Delhi.

...Respondents

(By Advocate Sh. Ajesh Luthra for respondent No.1  
and Sh. Ravinder Sharma, proxy for Sh. V.S.R.Krishna,  
for respondent No.2)

O R D E R (ORAL)

Shri Sarweshwar Jha,

Ld. counsel for the applicant at the outset has submitted that the respondents have issued an order dated 12-3-2004 keeping the impugned order transferring the applicant from GNCT, Delhi to Dr. R.M.L.Hospital, New Delhi as Addl.Medical Superintendent in abeyance and, with that, for the present, he has no grievance. He has, however, prayed that he may be allowed liberty to proceed in the matter as per law if the prayer as made by him in the OA is not finally accepted/implemented.

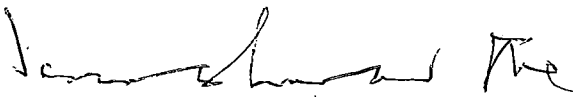
2. Ld. counsel for respondent No.1 who have adopted the reply as submitted on behalf of respondent No.2, is present. He has, however, reiterated that Govt. of NCT of

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Delhi has no role to play in the transfer of GDMOs which is done by the Ministry of Health and Family Welfare themselves as cadre authority. (9)

3. Having regard to the fact that the impugned order has been ordered to be kept in abeyance by the concerned authority and, with that, nothing survives in the OA for the present, the same stands disposed of as having become infructuous. However, the applicant shall have liberty to proceed in the matter as per law if his grievance still survives.

  
(Sarweshwar Jha)  
Administrative Member

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