

Central Administrative Tribunal  
Principal Bench

(2)

O.A. No. 613/2004

New Delhi this the 9th day of March, 2004

Hon'ble Shri V.K. Majotra, Vice-Chairman (A)

Shri Yogesh Sethi,  
S/o Shri Om Prakash,  
R/o Pocket J & K  
Flat No.203 D,  
Dilshad Garden,  
Delhi-110 095.

-Applicant

(By Advocate: Shri Ashwani Bhardwaj)

Versus

1. Govt. of NCT of Delhi  
Through the Secretary,  
Public Works Department,  
Delhi Secretariat,  
I.P. Estate, New Delhi.
2. The Executive Engineer, (Electrical)  
PWD Elect. Division-VII,  
Below ISBT Bridge,  
Kashmere Gate,  
Delhi.
3. Shri K.K.Sharma,  
Superintending Engineer,  
PWD Elec. Circle-III  
Govt. of NCT Delhi,  
13 th Floor, M.S.O. Building,  
Indraprastha Estate,  
New Delhi.
4. The Superintendent Engineer,  
Co-ordination Circle (Elec.)  
Central Public Works Department,  
East Block - I, Level-VII,  
Sector-1, R.K.Puram,  
New Delhi-66. .... Respondents

Order(Oral)

Applicant, Draftsman Grade-III (E), was transferred vide Annexure A-2 dated 18.12.2003 to DCEC-01 with immediate effect in public interest. These orders were cancelled with immediate effect in public interest on 23.12.2003 vide Annexure A-1. It has been alleged that on the same date applicant was relieved and directed to hand over the charge to Shri

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Lakhan Pal, Draftsman Grade-III (E) and report for duty to Office Suprintending Engineer, Delhi Central Electrical Circle-I, CPWD, New Delhi(Annexure A-3). The applicant did not accept these relieving orders. Applicant seeks direction to respondents for implementation of cancellation order dated 23.12.2003 of his transfer and also to pay arrears of salary and other allowances. Admittedly, when respondent No.2, the Executive Engineer (Electrical) did not implement the cancellation order of transfer of the applicant on the ground that he had been relieved and charge had been taken over by Shri Lakhan Pal, the applicant has yet not made any representation to the respondent No.4, the Superintending Engineer, Co-ordination Circle (Elec.) who had issued the transfer orders as also the cancellation orders of transfer.

2. At this stage itself after taking into consideration the contention raised before me and in the interest of justice, it is considered that this OA can be disposed of without issuing a notice to the respondents by directing respondent No.4, the Superintendent Engineer, Co-ordination Circle (Elec.) Central Public Works Department, East Block - I, Level-VII, Sector-1, R.K.Puram, New Delhi-66 to resolve the dispute on a representation to be made by the applicant to him within a period of seven days

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of receipt of Applicants' representation

from today. He shall do so within a period of 15 days by passing a detailed and speaking order. On remaining aggrieved, applicant shall have liberty as per law.

Issue Dasti.

V.K. Majotra

(V.K. Majotra)  
Vice Chairman(A)

9.3.04

cc.