

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 7TH DAY OF OCTOBER, 1996

Original Application No. 1053 of 1996

HON.MR.JUSTICE B.C.SAKSENA,V.C.

C.S.P.Shukla son of Sri Ishwar Dutt
Shukla, aged about 43 years, resident
of K-53/123, Madhyaneshwar, Varanasi

Applicant

BY ADVOCATE SHRI LALJI SINHA

Versus

1. Union of India through Director General, All India Radio, New Delhi.
2. Director General, All India Radio New Delhi
3. Superintending Engineer, All India Radio, Varanasi.

Respondents
O R D E R (Oral)

JUSTICE B.C.SAKSENA,V.C.

I have heard the learned counsel for the applicant. The OA is directed against an order contained in Annexure 1 dated 20.9.96 transferring the applicant from Varanasi to A.I.R Itanagar with immediate effect. The applicant has indicated in the OA certain domestic difficulties which he will have to face in the event of the impugned order being carried out, like serious illness of his father, his wife and the fact that his children are studying in various classes and their education will suffer. All these are matters which are required to be considered only by the Administrative Authorities. Interference by the Tribunal on those grounds is not permissible according to the settled principle of law.

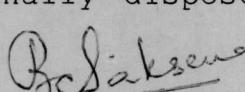
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2. When this was pointed out the learned counsel for the applicant ^{he} submitted that the OA may be disposed of finally and it may be provided that the applicant may make a representation to the Authorities concerned within a week. If such a representation is made, the Director General All india Radio may take into consideration the pleas and grounds that may be raised in the said representation and in the light of the same decide the said representation.

3. Since the applicant has to make a representation before the Administrative Authority it is expected that till a decision by the Director General ^{is} taken on the representation the Respondent No.3 i.e. the Superintending Engineer All India Radio Varanasi shall not insist ^{on} the applicant handing over charge till the disposal of the representation.

4. In view of the above the O.A. is finally disposed of.


VICE CHAIRMAN

Dated: 7th october, 1996

Uv/

7-10-96 Hon. Mr. Justice B. C. Saksena, V.C.

Heard Learned Counsel for
the applicant. Order dictated,
typed on separate sheets.

(Chv)

B.C.
V.C.