

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 3rd DAY OF FEBRUARY, 2004

Original Application No.67 of 2004

CORAM:

HON.MR.JUSTICE S.R.SINGH,V.C.

HON.MR.D.R.TIWARI, MEMBER(A)

Thakur Prasad Shukla, P.No.D/350  
S/o Shri Sant Prasad Shukla  
Permanent employee of Accountant  
General Office, uttar Pradesh,  
Allahabad. Presently posted on deputation  
as Divisional Accountant, Deputation  
Office of the Executive Engineer  
Construction Division, P.W.D, Lohaghat district  
Champawat, State of Uttaranchal,  
permanent resident of 104-A, Ashok Nagar,  
district Allahabad.

.. Applicant

(By Adv: Shri Vijai Gautam)

Versus

1. The Union of India through  
the Comptroller & Auditor General  
of India, Bahadur Shah Zafar  
Marg, New Delhi.

2. The Accountant General (A&E)II, U. P. Allahabad  
3. The Senior Deputy Accountant  
General (Works), Office of  
Accountant General(A&E)II,  
Uttar Pradesh, Allahabad.

4. The State of Uttaranchal through  
Chief Secretary, State of  
Uttaranchal, Dehradun.

5. Executive Engineer Construction  
Division, P.W.D Lohaghat, district  
Champawat, Uttaranchal.

.. Respondents

(By Advs: S/Shri Amit Sthalekar/  
K.P.Singh)

O R D E R (Oral)

JUSTICE S.R.SINGH,V.C.

We have heard Shri Vijai Gautam learned counsel  
for the applicant and Shri S.K.Pandey holding brief of

CBV

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Shri Amit Sthalekar learned counsel for the respondents 1,2 and 3 and Shri Vinod Kumar, holding brief of Shri K.P.Singh counsel for respondents 4 & 5. We have also perused the OA.

By office order dated 6.3.03(Annexure 2) the applicant, a senior Accountant, was sent on deputation to work under the Executive Engineer, Construction Division P.W.D, Lohaghat district Champawat, Uttaranchal as Divisional Accountant for a period of one year on deputation basis in the pay scale of Rs 5000-150-8000. It appears that subsequently he was transferred to the office of the Accountant General(Accounts & Audit) Uttaranchal, Dehradun vide office order No.DAG/Transfer/242 dated 11.11.2003 and consequent upon the said transfer order the applicant has been repatriated by means of impugned order dated 7.1.2004 to the Parent Department with immediate effect obviously with a view to give effect to the transfer order dated 11.11.03. The original applications challenging the transfer order dated 11.11.03 have already been dismissed by this Tribunal with certain observations. It has been submitted by learned counsel appearing for the applicant that the applicant has preferred a representation to respondent no.2. In the circumstances, we are of the view that it would meet the ends of justice if we dispose of the original application with the direction to the respondent no.2 to consider and dispose of the application of the applicant and pending decision on the representation, the operation of the order dated 7.1.04 shall be kept in abeyance provided that a copy of this order is produced before the Competent

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Authority within three days.

The OA is disposed of accordingly.

*D. T. D.*  
MEMBER (A)

*R. J.*  
VICE CHAIRMAN

Dated: 3.2.2004

Uv/