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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD.

REGISTRATION O.A. NO. 894 Of 1988

Khuaja Husain ..... Applicant  
vs.

The Union of India & others.... Respondents.

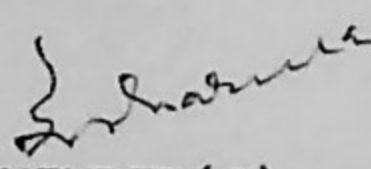
Hon.D.S.Misra- AM  
Hon.G.S.Sharma-JM

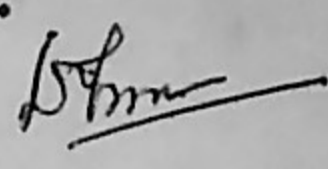
In this petition Under Section 19 of the Administrative Tribunals Act No.XIII of 1985, the applicant who is serving as Supervisor B/S-II, Garrison Engineer, Air Force, Gorakhpur has been transferred to Dhana on the same post. He has challenged the validity of his transfer/~~order~~<sup>also</sup> as movement order dated 8.7.1988, ~~as well~~<sup>also</sup> has sought <sup>a</sup> declaration ~~that~~ tenure period of three years should start from the date, he takes over the charge at the new station and not from the date of transfer order. <sup>Case</sup> ~~The~~ other relief claimed was given up at the time of admission. The notice of this petition was taken by Shri K.C.Sinha, learned Additional Standing Counsel on behalf of the respondents. Shri Sinha was required to show cause against the interim relief prayed by the applicant. The learned counsel for the applicant, however, does not press his relief(a) regarding the movement order and states that the applicant is prepared to pfoceed to the new station of posting provided the respondents count the tenure period of three years from the date, he resumes

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his duty at the new station of posting. In the absence of any direction from the Tribunal, the said period will start from 1.7.1989.

2. We have heard the learned counsel for the parties and in our opinion, the controversy in this case is now not much and as the applicant is prepared to proceed to his new station of posting and some delay has already been taken place in moving <sup>to</sup> the new station, We direct that the tenure of the applicant at the new station will start from the date of his joining provided, he joins at the new station of posting within ten days of this order. A copy of this order be given to both the parties today.

  
MEMBER (J)

  
MEMBER (A).

Dt/5.8.88/  
Shahid.