

20.4.95

Hon. Mr. S. Dayal, A.M.  
Hon. Mr. J.S. Dhaliwal, J.M.

In pursuance to order made yesterday in the order sheet the counsel for the applicant Shri R.L. Asthana has filed Suppl. Affidavit in which he mentions that reliever came on 17.4.95, the reliever has not given the joining report and that the applicant is still working on the post of Leverman at Renukoot Railway Station.

The applicant has mentioned in his affidavit that Shri Madan Lal, Leverman who has come to replace the applicant, has not been allowed to join by Station Master. We are not aware that the Station Master has ~~any~~ any authority since transfer order has been made by higher authority. Therefore, no interim relief is granted. However, notices may issue to the respondents to show cause as to why this petition may not be admitted. Notice may issue to the respondents to show cause as to why this petition may not be admitted. Notice may be returnable within 4 weeks. RA, if any, may be filed within 2 weeks, thereafter. List this case on 20.07.95 for hearing.

At this stage the counsel for the applicant mentions the if interim relief by was of staying the transfer is not given, the petition shall become infrutuous and should be dismissed. In view of the facts <sup>that malafide is alleged</sup> against the two officials, who are other than officer who passed the transfer order this request of the counsel appears to be eminently reasonable.

The application, therefore, stands dismissed.

J.M.

A.M.

/pc/