

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

Allahabad this the 2nd day of February 2001.

Original Application no. 680 of 1999.

Hon'ble Mr. Justice R.R.K. Trivedi, Vice-Chairman

Harihar Nath Tiwari,
S/o Shri Raj Narain Tiwari,
posted as Assistant Superintendent,
Post Offices Central Sub Division,
ALLAHABAD.

... Applicant

C/A Shri R. Sinha, Shri A. Srivastava
Shri K.C. Sinha & Shri R.K. Ojha

versus

1. Union of India through the Chief Post Master General, Lucknow.
2. The Post Master General, Allahabad region, Allahabad.
3. The Addl. Director to the office of Post Master General, Allahabad.

... Respondents

C/Rs. Shri S.C. Mishra

...2/-



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O R D E R(Oral)

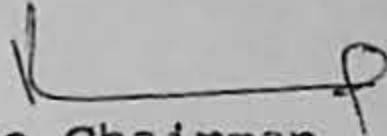
Hon'ble Mr. Justice RRK Trivedi, VC

By this OA under section 19 of the A.T. Act, the applicant has challenged the order of transfer dated 18.03.1999 (Annexure 1) by which he has been transferred from Allahabad to Mirzapur. Shri Sinha learned counsel for the applicant has submitted that though in pursuance of the impugned order of transfer, the applicant had joined at the transferred place, but the condition that the applicant shall not be posted at the place, where the appointments are likely to be made, ~~as~~ is causing stigma against him, and such condition should not have been attached alongwith order of transfer. Shri S.C. Mishra learned counsel for the respondents on the other hand submitted that vigilance inquiry against the applicant in respect of certain appointments made by him is pending and considering the matter ^{already} pending, it was necessary to deprive him the power of appointment temporarily till inquiry was over.

2. Learned counsel for the parties are, however, not in a position to indicate that the development during the vigilance inquiry and that about 2 years have already passed. It is also not clear as to whether the impugned condition in the order of transfer is now necessary to continue. In my opinion, the ends of justice shall be better served, if the applicant is given liberty to make a representation before Chief Post Master General, Lucknow against the aforesaid impugned transfer order.

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The representation, if made within 2 weeks, it shall be considered and decided within a period of two months, thereafter. The OA is accordingly disposed of with the above direction. No order as to costs.


Vice-Chairman

/pc/