

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad this the 12th day of July, 2004.

Original Application No. 692 of 2003.

Hon'ble Mr. Justice S.R. Singh, Vice-Chairman.

Hon'ble Mr. D.R. Tiwari, Member- A.

1. Jaswant Singh S/o Late Darshan Singh
R/o 8/8, Sector-7, Awas Vikash Sikandra, Agra.
2. B.M. Agarwal S/o Late Sri F.L. Agarwal,
R/o Kailash Vihar, Agra-7.

.....Applicants

Counsel for the applicants :- Sri Ashish Srivastava

V E R S U S

1. Union of India through the Secretary,
M/o Finance, New Delhi.
2. Chief Commissioner of Customs and Central Excise,
19-C, Tulsi, Ganga Minar, Vidhan Sabha Marg,
Lucknow.
3. Commissioner, Customs and Central Excise,
Sarvodaya Nagar, Kanpur.
4. Deputy Commissioner,
Central Excise and Customs, Agra.

.....Respondents

Counsel for the respondents :- Sri V.V. Mishra

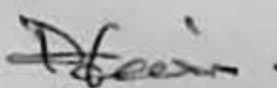
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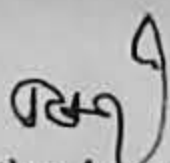
By Hon'ble Mr. Justice S.R. Singh, V.C.

This O.A has been instituted against the order by which 34 officers including the applicant² were transferred from ² Kanpur Commissionerate to Lucknow Commissionerate and vice versa. The order dated 02.07.2003 read with order

By

dated 12.09.2003 passed by the Tribunal would indicate that the prayer for interim relief was refused in view of the fact that the applicants had ^{been &} already relieved. However, it was provided, vide order dated 12.09.2003, that the impugned transfer orders would be subject to the final decision of the O.A. Having heard counsel for the parties and having regard to the facts and circumstances of the case particularly the fact that the transfer is an incidence of service and the courts normally should not interfere with transfer orders except ^{where &} ~~that~~ it is violative of statutory rules or otherwise suffers from vice of malice or malafide. None of these grounds [&] is established in the present case. The applicants ^{have &} ~~has~~ already been relieved long back. In the circumstances, therefore, the O.A is dismissed. No costs.


Member- A.


Vice-Chairman.

/Anand/