

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION NO.646 of 2006

ALLAHABAD, THIS THE 13th DAY OF June, 2006

HON'BLE MR. A. K. SINGH, MEMBER-A

Pushkar,
Son of Late Arun Kumar,
R/o 24, Type-II,
Kendranchal, Allahabad.

. Applicant

(By Advocate Shri Pankaj Srivastava)

Versus

1. Union of India through
Controller & Auditor General of India,
10, Bahadur Shah Zafar Marg,
New Delhi.
2. The Principal Accountant General,
Office of the Principal Accountant General
(Civil Audit), Uttar Pradesh,
Allahabad.
3. The Senior Deputy Accountant General
(Administration),
Office of the Principal Accountant General
(Civil Audit), Uttar Pradesh,
Allahabad.

. Respondents.

(By Advocate)

ORDER

Shri P. Srivastava, counsel for the applicant.
The learned counsel for the applicant submits that
the applicant Pushkar joined the post of

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Clerk/Typist on 27.02.1991 in the respondent department. He was promoted to the post of Accountant on 02.01.2005 and was further promoted as Senior Accountant on 02.01.2006.

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2. On reorganization of the State of Uttar Pradesh and formation of the New State of Uttranchal, a separate office of Accountant General was created by the Union of India in November 2000 to cater to the administrative requirements of the new State. A notification for creation of Accountant General's office was issued on 09.05.2002. Options were also called for from different cadres of employees in the office of Accountant General, Allahabad for permanent transfer to Accountant General, Uttranchal. Pursuant to the aforesaid option, Shri Pushkar, the applicant in this O.A. also gave his option on 24.04.2006 for a posting on permanent basis in the aforesaid office. Even though the respondents have acceded to his request and have issued an order dated 09.05.2006 to enable the applicant to join his new place of posting, he has not been relieved till date. Applicant's prayer is to direct the respondents to relieve him to join his new place of posting immediately.

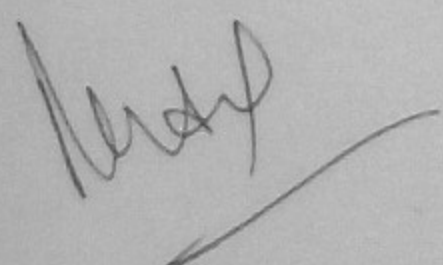
3. I have considered the submissions made by the learned counsel for the applicant in the matter.

Pushkar

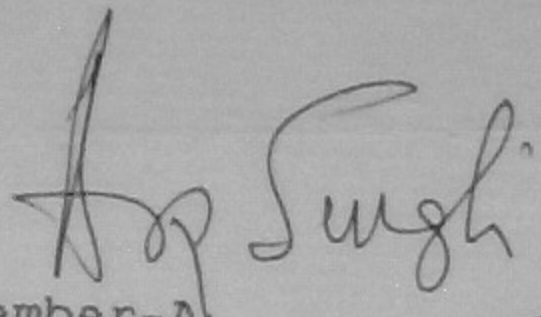
There is neither any fact in dispute nor any point of law involved in the O.A. in question. What is to be done in the matter is to give effect to the decision/order dated 09.05.2006 of the respondents themselves. This Tribunal/Court feels that such a direction can be given even without calling for any counter reply from the respondents. Hence I propose to decide the matter finally as under.

4. I find that the applicant had given his option for a permanent posting in the office of Accountant General, Uttranchal, in response option called by the respondents from the employees of Accountant General, Uttar Pradesh, Allahabad. Even public interest demands that office of Accountant General in the State of Uttranchal must start functioning immediately. It is necessary in the overall interests of the State of Uttranchal and its administration. There is, therefore, no reason why respondents should have any objection to the relief of the applicant in pursuance of order of respondents dated 09.05.2006. Public interest as well as interest of Justice, therefore, demands that a direction should be issued to respondents to relieve the applicant immediately to join his new place of posting. I order accordingly.

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5. The O.A. is disposed of with the above
direction. No Costs.


Member-A

pr
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/ns/