

I/A

**CENTRAL ADMINISTRATIVE TRIBUNAL,
JODHPUR BENCH, JODHPUR**

ORIGINAL APPLICATION NO. 101/2007

DATE OF ORDER: 25.05.2007

CORAM:

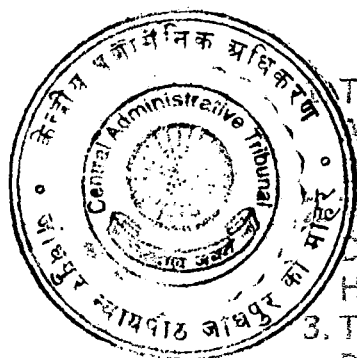
HON'BLE MR. R.R. BHANDARI, ADMINISTRATIVE MEMBER.

Purkha Ram, aged about 57 years, son of Shri Gorkha Ram, resident of Paharganj II, Jodhpur, at present working as Senior Scientific Assistant III in the office of Locust Warning Organization, Locust Circle Office, Phalodi, District Jodhpur.

...Applicant.

Mr. Rajesh K. Shah, counsel for the applicant.

VERSUS



The Union of India, through the Secretary, Ministry of Agriculture (Department of Agriculture & Cooperation) Krishi Bhawan, New Delhi.

The Plant Protection Adviser to the Government of India, Directorate of Plant Protection, Quarantine & Storage, National Highway-IV, Faridabad, Haryana.

3. The Chief Administrative Officer, Directorate of Plant Protection, Quarantine & Storage, National Highway-IV, Faridabad, Haryana.

4. Shri Ramesh Chand, presently promoted as Senior Scientific Assistant-III C/o Directorate of Plant Protection, Quarantine & Storage, National Highway-IV, Faridabad, Haryana.

...Respondents.

Mr. M. Godara, proxy counsel for

Mr. Vinit Mathur, counsel for respondents No. 1 to 3.

No intimation reg. service of 'Dasti' notice in r/o respondent No. 4.

ORDER

Learned advocate for applicant brought my notice to this Bench of the Tribunal's order dated 8th December 2006 in O.A. No. 148/2006 at annexure A/5. Para 3 and para 4 of the said order were read. Learned advocate for applicant further brought my notice to the impugned order dated 19th April 2007 at annexure A/1 by which Shri

fate

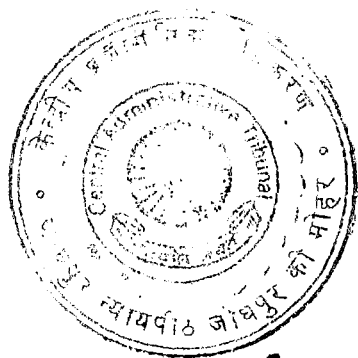
Ramesh Chand, PQS, Bongaon is being posted on promotion at Jodhpur. He further mentioned that Shri Ramesh Chand is not interested to come and join at Jodhpur and there is a clear vacancy at Jodhpur. Learned advocate for applicant requested that applicant's case should be considered for transfer to Jodhpur in view of the available vacancies and also in view of the fact that the applicant is likely to retire in next 2-3 years.

2. Learned counsel for respondents No. 1 to 3 mentioned that this Original Application is not maintainable for two reasons: -

(i) The impugned order dated 19th April 2007 (Annexure A/1) does not mention the name of the applicant.

(iii) The order dated 08th December 2006 (Annexure A/5) of this Bench of the Tribunal in O.A. No. 148/2006, is still pending with the concerned department. The para 4 of the said order is reproduced below: -

"4. In view of the facts mentioned above, the Original Application is disposed of with a direction that the Competent Authority may decide the matter as per the rules in practice within a period of six months from today. The O.A. stands disposed of accordingly. No order as to costs."



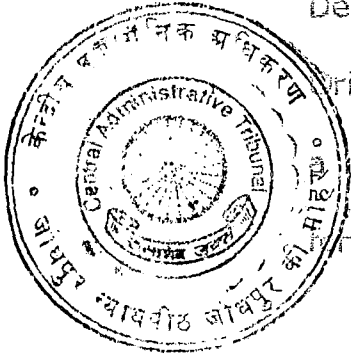
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Since six months period is not yet over, the present Original Application is premature.

3. In view of the above submissions, the present Original Application is disposed of with the directions to the respondents No. 1 to 3 to look into the matter and do the needful as directed in the previous order dated 08th December, 2006 in O.A. No. 148/2006. The present Original Application may be passed to the respondents as representation to the concerned authorities. No order as to costs.



R R Bhandari
[R R BHANDARI]
ADMINISTRATIVE MEMBER

kumawat

Read one copy

प/ना एन
29/5/14
(पुश्पाराम)

Part II and III destroyed
in my presence on 23-6-14
under the supervision of
section officer (J) as per
order dated 26-3-14

Section officer (Record)

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