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**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH; JODHPUR**

ORIGINAL APPLICATION NO. 233/2009

Date of order: 06.11.2009

CORAM:

**HON'BLE MR. JUSTICE S.M.M. ALAM, JUDICIAL MEMBER
HON'BLE DR. K.S. SUGATHAN, ADMINISTRATIVE MEMBER**

Dr. J.C. Kansara S/o Shri Madan Lal Kansara, aged 45 years, by caste Kansara, R/o "Maa Kripa" Uprla Bas, Hathi Ram Ka Oda, Jodhpur (Inspector of Salt in the Office of Assistant Commissioner Salt, Jodhpur).

...Applicant.

Mr. P.D. Bohra, counsel for applicant.

VERSUS

1. The Union of India through the Joint Secretary, Department of Industrial Policy & Promotion of Ministry of Industry, Udyog Bhawan, New Delhi.
2. The Dy. Salt Commissioner, Office of the Salt Commissioner, Lavan Bhawan, 2-A, Lavan Marg, Jhalana Dungari, Jaipur.
3. The Assistant Salt Commissioner, Jodhpur Office at 480-A, Pal Link Road, Jodhpur.

... Respondents.

ORDER

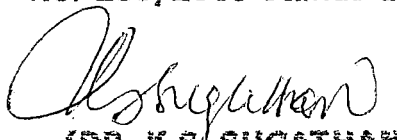
Per Hon'ble Mr. Justice S.M.M. Alam, Judicial Member

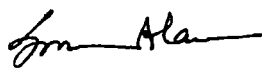
This Original Application has been preferred on behalf of one Dr. J.C. Kansara challenging the validity of Annexure A/1 whereby he has been transferred to some other place.

gm

2. From the perusal of Annexure A/1, it appears that this transfer order is dated 28.05.2009. From Annexure A/3 attached to the O.A., it appears that the applicant has already preferred an O.A. No. 212/2009 against the rejection of his request for voluntary retirement. The perusal of record of O.A. No. 212/2009 shows that the said O.A. was presented on 07.10.2009. It appears that prior to that very date, this order of transfer was already passed but the applicant did not challenge this order in the said O.A. with some mala fide intention. The learned advocate appearing on behalf of the applicant failed to show that any legal right of the applicant was infringed by passing the order of transfer. There is nothing on record to indicate that there is any mala fide on behalf of the administration. In such view of the matter, it is not a fit case in which even the notices can be issued to the respondents.

3. In such view of the matter, we are of the view that this O.A. deserves to be dismissed. Accordingly this O.A. bearing No. 233/2009 stands dismissed. No order as to costs.


(DR. K.S. SUGATHAN)
ADMINISTRATIVE MEMBER


(JUSTICE S.M.M. ALAN)
JUDICIAL MEMBER

Received
Order Lynn
13.11.09

Part II and III destroyed
in my presence on 8/12/09
under the supervision of
section officer (J) as per
order dated 07/07/2015

Section officer (Records)