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**CENTRAL ADMINISTRATIVE TRIBUNAL  
JODHPUR BENCH; JODHPUR**

**Original Application No. 213/2011**

**Date of decision: 2.8.2011**

**CORAM: HON'BLE DR. K.B. SURESH, MEMBER (J) &  
HON'BLE MR. SUDHIR KUMAR, MEMBER (A)**

Chandra Shekhar Azad son of Shri Phulachan Lal, aged about 51 years, r/o Near Canteen Stores Department, Bikaner, At present working as Majdoor under the control of Depot Manager Canteen Store Department, Ministry of Defence, Bikaner.

..... Applicant

Mr. Nitin Trivedi, Counsel for the applicant.

**Versus**

1. The Union of India,  
Through-the Secretary,  
Ministry of Defence,  
Raksha Bhawan, New Delhi.
  2. The General Manager,  
Canteen Stores Department,  
Ministry of Defence,  
Government of India,  
"Adelphi" 119 M.K. Road,  
Mumbai.
  3. The Additional General Manager P)  
Canteen Stores Department,  
Ministry of Defence,  
Government of India,  
"Adelphi" 119 M.K. Road,  
Mumbai.
  4. The Manager, (Personnel),  
Canteen Stores Department,  
Ministry of Defence,  
Government of India,  
"Adelphi" 119 M.K. Road,  
Mumbai.
- ..... Respondents

Mr. Ravi Bhansali, counsel for the respondents.

**ORDER (Oral)**

**Per Dr.K.B. Suresh, Member (Judicial)**

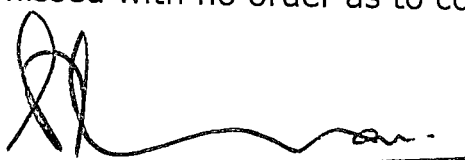
Heard both counsel for the parties.

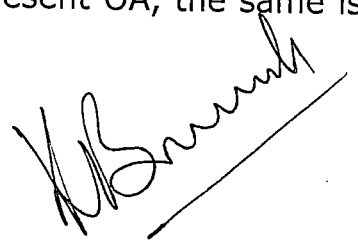
The matter relates to second round of litigation with regard to transfer order dated 8.3.2011, passed in OA. 325/2010. We had

directed the respondents to consider the applicant's transfer to his three choices at Jaipur, Delhi & Ambala, and in compliance of above, applicant is being transferred to Ambala and <sup>was</sup> relieved on 18.6.2011 while he was on medical leave. To this fact his contention is that without knowledge of the applicant, he was already relieved on 18.6.2011 and we have also passed an interim order on 12.7.2011 that in the meanwhile status quo of the applicant shall be maintained at Bikaner on the 2<sup>nd</sup> transfer being challenged.

3. Since we have granted the interim order on 12.7.2011, the applicant is entitled to and respondents are bound to give effective consideration for this period by granting him due leave. Since the applicant, during interregnum period, has not worked; he shall not be entitled to payment for this period and this period will be treated as leave due to him. On receipt of a copy of this order, the applicant shall rejoin at Bikaner tomorrow, but when the applicant rejoins at Bikaner, i.e. tomorrow, a fresh movement order shall be issued to him by the respondents.

In view of above, we find no merit in the present OA, the same is dismissed with no order as to costs.

  
(SUDHIR KUMAR)  
MEMBER(A)

  
[DR. K.B. SURESH]  
MEMBER (J)