

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

O.A. 356 of 1997.

(UNLISTED)

Date of Order: 31.3.97.

Present: Hon'ble Mr. Justice A.K. Chatterjee, Vice-Chairman.

Hon'ble Mr. M.S. Mukherjee, Administrative Member.

LAL MOHAN SEN

-VS-

UNION OF INDIA & ORS.

For the petitioner: Mr. B.C. Sinha, counsel, with
Mr. K. Sarkar, counsel.

For the respondents: NONE.

Heard on: 31.3.97.

O R D E R

M. S. Mukherjee, A.M.

This is filed as an unlisted motion to-day by
Mr. B.C. Sinha, 1d. counsel, leading Mr. K. Sarkar, counsel, appearing
for the petitioner. None appears for the respondents.

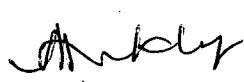
This is against an order of transfer of the
petitioner to Allahabad. The petitioner had earlier moved
an unlisted motion regarding this transfer being O.A.no.184
of 1997 which had been disposed of by this Bench by an Order
dt. 19.2.97 by which the respondent no.3 was directed to treat
the same petition as a representation and dispose of the same
through a speaking order. In pursuance of the same Order,
the representation/petition has freshly been rejected by the
Engineer-in-Chief, Army Head Quarter, New Delhi by its order
dated 4th March, 1997 and 22nd March, 1997, Annexure-2 to the
petition collectively. The petitioner has now been directed
to move to the office of G.E., Allahabad, immediately.

The petitioner, however, submits that the G.E., Allahabad, does not want to accept him and this has been communicated to the petitioner's relieving office by G.E., Allahabad through a message dt. 5.3.97 vide Annexure-A.3 to the petition. In view of this non-acceptability in Allahabad, petitioner fears harassment if he is required to report at, Allahabad.

Mr. B.C. Sinha, 1d. counsel for the petitioner, gives an undertaking on behalf of the petitioner that the respondent authorities may dispose of the communication of G.E., Allahabad ^{in the matter affording} first and then pass the final order ^{on that effect and} in that case the petitioner would have no objection if the authorities decide to transfer him to Allahabad. With such assurance given by the 1d. counsel for the petitioner, we dispose of the application at the present stage itself with the direction that the respondent no. 2 herein should freshly decide about the case of the petitioner in the context of the observations of the G.E., Allahabad and till such disposal, the petitioner may not be relieved from the present station. Application is disposed of. ^{The} accordingly by us. ^A

A copy of the Application together with all annexures along with a copy of the Order passed this day be served upon the respondents ^{by the petitioner forthwith} ~~immediate and open communication of all concerned.~~

Certified copy of this Order be given to the 1d. counsel for the petitioner for necessary action.


(M.S. Mukherjee)
Member (A)


(A.K. Chatterjee)
Vice-Chairman.