

CENTRAL ADMINISTRATIVE TRIBUNAL

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O.A.No. 443 of 1991.

Raj Mohan Singh

Applicant

versus

Union of India & others

Respondents.

Hon. Mr. S.N.Prasad, Member Judicial

I have heard the learned counsel for the parties in respect of M.P. No. 27/92 which has arisen out of O.A. No. 443 of 1991.

2. This is noteworthy that O.A. No. 443 of 1991 is for setting aside the impugned order of transfer, transferring the applicant from Uttar Pradesh to Goa.

3. This is significant to point out that a perusal of Annexure No. A-5 to M.P. No. 27/92 transpires that the applicant has already been relieved on 18.9.91 for joining at Goa.

4. I have heard the learned counsel for the parties and have carefully gone through the contents of M.P. No. 27/92 and the contents of O.A. No. 443 of 1991 as well.

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5. Shri A.K. Chaturvedi, learned counsel for the respondents urges that a perusal of para 4 to 9 of M.P. No. 27/92 shows that the applicant has now become ready to comply with the impugned transfer order provided he received² advance T.A., and if the T.A. is advanced to the applicant, O.A. No. 443/91 shall become infructuous.
6. The learned counsel for the applicant has urged that due to latest developments of the matter and owing to his domestic affairs and financial stringencies, the applicant has been trying to receive advance T.A. and relieving order to join at Goa, but even after the expiry of about two months, the applicant has not been paid advance T.A.
7. Shri A.K. Chaturvedi, learned counsel for the respondents undertakes to arrange for payment of transfer T.A. in advance to the applicant, as admissible to him as per rules by 27.1.92 at the office of respondent No. 2 at Lucknow.
8. Thus, in this view of the matter and having considered all the aspects of the matter and circumstances of the case, I find it expedient that the respondents

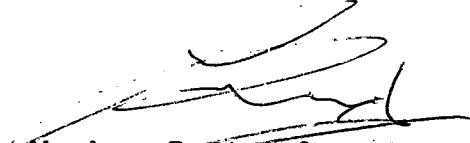


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be directed to pay T.A. advance to the applicant, as referred to above by 27.1.92 and in case the advance T.A. is paid to the applicant by 27.1.92 at the office of respondent No. 2 at Lucknow, O.A. No. 443 of 1991(L) shall stand disposed of automatically as having been infructuous and need not be put up on 3.2.92, and compliance report shall be filed by the respondents by 29.1.92 and I order accordingly.

9. M.P. No. 27/92 and O.A. No. 443 of 1991 are disposed of as above with no order as to costs.

10. Copy of this order be given to the learned counsel for the parties positively by 15.1.92, for official use.


Member Judicial. 14.1.92

Lucknow: Dated: 14.1.92.

Shakeel/