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Central Administrative Tribunal, Lucknow Bench,

Lucknow

Original Application No. 385/2008

This the 22nd day of February, 2010

Hon'ble Mr. Justice A.K. Yog, Member (J)
Hon'ble Dr. A.K. Mishra, Member(A)

Dr. D.K. Mehrotra, Aged about 58 years, S/o late P.N. Mehrotra, R/o C-82, Sector N, Kursi Road, Aliganj, Lucknow.

.....Applicant

By Advocate: Sri A. Moin.

Versus

1. Union of India through Secretary, Department of Mines, Shastri Bhawan, New Delhi.
2. Director General, Geological Survey of India, 27 Jawahar Lal Nehru Road, Kolkata.
3. Deputy Director General, Geological Survey of India, Training Institute, Bandalaguda Complex, Hyderabad.

.....Respondents

By Advocate: Sri Deepak Shukla

ORDER

Delivered by Justice A.K. Yog, Member-J

Heard the learned counsel for the parties.

2. This O.A. is against order of transfer dated 21.10.2008 (Annexure A-1/Compilation-1), which was stayed vide interim order dated 6.11.2008 passed by this Tribunal as a consequence of which said impugned transfer order could not be given effect to.
3. Learned counsel for the applicant does not dispute. We cannot ignore that considerable time has passed when the

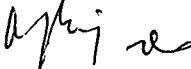
(J)

impugned order of transfer was passed, but remained ineffective/inoperative.

4. Circumstances, which led to passing of order of transfer, in question, it requires concerned authority to reconsider the matter

4. In view of the above, transfer order dated 21.10.2008 (Annexure A-1/Compilation-1) is hereby set-aside without going into merit/ demerit of the order, with liberty to the respondents to pass fresh appropriate order in public interest/ administrative exigencies as per rules.

5. The O.A. stands disposed of subject to above directions. There will be no order as to costs.


(Dr. A.K. Mishra)
Member (A)


(Justice A.K. Yog)
Member (J)

Girish/-