

CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH, LUCKNOW

Original Application No. 377/2009

This, the 2nd day of September, 2011

HON'BLE JUSTICE ALOK KUMAR SINGH, MEMBER (J)

Arvind Kumar Srivastava aged about 54 years son of late T.N.Srivastava,
R/o 4/229, Jankipuram Extension, Lucknow

Applicant.

By Advocate: Sri A.Moin

Versus

1. Union of India , through Secretary, department of Urban Development, Poverty Elevation, Nirman Bhawan, New Delhi.
2. Director General of Works, Central Public Works Department, Nirman Bhawan, new Delhi.
3. Dy. Director (Admn.) Central Public Works Department, Nirman Bhawan, new Delhi.
4. Superintending Engineer, Central Public Works Department, Lucknow Central Circle, Lucknow.
5. Mr. M.C.Tewari, Central Public Works Deptt. , Patna Central Circle, Patna.

Respondents.

By Advocate: Sri S.K.Awasthi

ORDER (Dictated in Open Court)

By Hon'ble Shri Justice Alok Kumar Singh, Member (J)

This O.A. has been filed for quashing the transfer order dated 15.9.2009 passed on behalf of respondent No.2 (Annexure A-1).

2. At the outset, it may be mentioned that the impugned transfer order was stayed vide interim order passed by this Tribunal on 18.9.2009.

As a consequence thereof, the impugned order could not be given effect to.

3. There is no quarrel on the above point. We cannot ignore that considerable time of about 2 years have been passed since passing of the impugned order of transfer. But it remained ineffective/inoperative on account of the aforesaid interim order of this Tribunal. It is needless to say that circumstances, which led to passing of order of transfer, in question , requires fresh consideration of the authorities concerned.

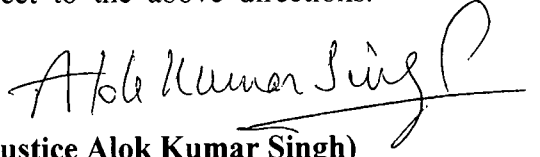
4. Therefore, in view of the above, without entering into the merits of the case and giving liberty to the respondents to pass fresh appropriate

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order in public interest/ administrative exigencies as per rules, if so required, the impugned order dated 15.9.2009 is hereby set aside.

5. The O.A. stands disposed of subject to the above directions.

There will be no order as to costs.


(Justice Alok Kumar Singh)
Member (J)

HLS/-