

CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW BENCH LUCKNOW

Original Application No. 203 of 1992(L)

Badri Applicant

Versus

Union of India & Others Respondents

Hon'ble Mr. Justice U.C. Srivastava, V.C.

Hon'ble Mr. K. Obayya, Member (A)

(By Hon'ble Mr. Justice U.C. Srivastava, V.C.)

This is a restoration application. The cause shown is sufficient. The order dated 23.7.1992 is recalled and the case is restored. The learned counsel is present and is ready to proceed with the case.

The applicant was transferred from Gorakhpur to Anand Nagar within the district Gorakhpur^{where} is ~~about~~ 70 kms. from Gorakhpur. The transfer order was passed in exigency of situation and there are limited grounds for interfering in the transfer order. The applicant's complaint is that the transfer order has been passed by the respondent no. 2 on the pressure of the respondent no. 4 who is enemical to the applicant. According to him relations to respondent no. 4 was strained when he was posted at Gonda and he has also made a complaint against him, copy of the order passed in the aforesaid complaint has been placed on record, may be so, but it has not been said that the respondent no. 2 was under the influence of the respondent no. 4 and it is because of respondent no. 4, he was obliged to pass the order and accordingly, the allegations regarding mala-fide are not established.. However, the application


Contd..2/-

7/6
:: 2 ::

would not like to interfere in the transfer order, but the applicant has already filed the representations against the same.

2. The respondents are directed to dispose of the representations of the applicant by taking into consideration the pleas and grievances of the applicant within a period of three weeks from the date of receipt of a copy of this order. In case, the representation is decided in his favour, the transfer order has been cancelled, otherwise, it is for the respondents to maintain the transfer order ~~as it is~~ or to post him at place which may ^{be} still nearer to Gorakhpur. Accordingly, this application is disposed of as above. No order as to the costs.


Member (A)


Vice-Chairman

Lucknow Dated 7th August, 1992.

(RKA)