

NEW DELHI
NEW BOMBAY BENCH

x198x

DATE OF DECISION 10.6.1988

Petitioner

Advocate for the Petitioner(s)

Versus

President, I.T. Appellate Tribunal & Anr.
Respondent

Advocate for the Responder(s)

The Hon'ble Mr. J.G.Rajadhyaksha, Member(A),

The Hon'ble Mr. M.B. Mujumdar, Member (J).

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not? *Y O*
3. Whether their Lordships wish to see the fair copy of the Judgement? *Y O*
4. Whether it needs to be circulated to other Benches of the Tribunal? *Y O*

(4)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW BOMBAY BENCH, NEW BOMBAY.

Original Application No.274/88.

Shri Amarnath Tiwari,
Flat No.119/C, 3rd Floor,
G.G.S.Colony, Wadala (West),
Bombay.400 031.

...Applicant

V/s.

1. President,
Income-tax Appellate Tribunal,
(H.Qrs. at New Delhi),
10th & 11th Floor, Loknayak Bhavan,
N.D.M.C. Complex, Khan Market,
New Delhi.110 003.
2. Registrar,
Income-tax Appellate Tribunal,
4th floor, C.G.O.Building,
101 M.K.Road,
Bombay.

Coram: Hon'ble Member(A), Shri J.G.Rajadhyaksha,
Hon'ble Member(J), Shri M.B.Mujumdar.

Appearances:

The applicant in person.
Mr.S.R.Atre (for Mr.P.M.Pradhan)
for the Respondents.

Oral Judgment:

¶Per Shri M.B.Mujumdar, Member(J)¶ Dt. 10.6.1988.

We have heard the applicant Shri Amarnath Tiwari in person and Mr.S.R.Atre (for Mr.P.M.Pradhan), learned advocate for the respondents on the point of admission. In this application the applicant has challenged his transfer from Bombay to Indore by the impugned order dt. 7.4.1988. After his request for ex parte interim relief was rejected he has joined his posting at Indore as Assistant Registrar of the Income-tax Appellate Tribunal there on 2.5.1988. Thereafter, both the sides were heard on 17.5.1988 and his prayer for interim relief was rejected. He had alternatively submitted that the Head Quarter of the post of Asstt. Registrar of the Income-tax Appellate Bench at Indore be kept at Bombay, but that prayer was also rejected.

...2.

2. The applicant has stated that the impugned transfer order is arbitrary, mala fide and passed in order to victimise him and take revenge against him. We find no substance in this allegation.

3. While rejecting the prayer for interim relief by the order dt. 17.5.1988 a direction was given for keeping this case for admission hearing before a Division Bench and that is how it has come before us today. All the relevant facts are stated in the order dt. 17.5.1988. Even after hearing the applicant today on the point of admission we find no substance in this application. The applicant was in Bombay since 1983 and after about 5 years he is transferred to Indore. Hence we reject this application summarily under section 19(b) of the Administrative Tribunals Act, 1985.



(J.G. RAJADHYAKSHA)
MEMBER (A)



(M.B. MUJUMDAR)
MEMBER (J).