

(4)

CAT/J/12

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

XXXXXX
NEW BOMBAY BENCHO.A. No.
XXXXXX

540 198 9

DATE OF DECISION 26.9.1989

Shri Sham Hotchand Rupani Petitioner

Shri S.R. Atre (for Mr. M.D. Lonkar) Advocate for the Petitioner(s)

Versus

Union of India & Another Respondent

Shri R.K. Shetty. Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. M.Y. Priolkar, Member (A)

The Hon'ble Mr.

1. Whether Reporters of local papers may be allowed to see the Judgement? Yes
2. To be referred to the Reporter or not? No
3. Whether their Lordships wish to see the fair copy of the Judgement? No
4. Whether it needs to be circulated to other Benches of the Tribunal? No

CJ

(S)

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

Original Application No.540/89

Shri Sham Hotchand Rupani,
R/o 586/Sector-2,
Kane Nagar,
Bombay-400 037.

.. Applicant

V/s.

1. Union of India
through Secretary,
Ministry of Urban
Development,
Govt. of India,
New Delhi-110 001.
2. Superintending Engineer(COORD),
West Zone, C.P.W.D.,
C.G.O., Complex, 7th floor,
C.B.D., New Bombay-400 614. .. Respondents.

Coram: Hon'ble Member(A), Shri M.Y.Priolkar.

Appearance:

1. Shri S.R.Atre(for
Shri M.D.Lonkar)
Advocate
for the applicant.
2. Shri R.K.Shetty,
Advocate
for the respondents.

ORAL JUDGMENT:-

Dated: 26.9.1989

(PER: Shri M.Y.Priolkar, Member(A))

The grievance of the applicant in this case was that he was transferred from the office of the Superintending Engineer(COORD), Bombay Central Division of the Central Public Works Department(CPWD), Bombay to Bhopal Central Circle, Bhopal. The applicant alleged that this transfer was in violation of the provisions contained in Section 7, Para 15(C) of the CPWD Manual Vol.I under which his services were not transferable.

2. On the last date, i.e. 18.9.1989, the Counsel for the respondents had produced a copy of the order showing that the applicant had since been accommodated in Bombay in a vacancy which had arisen subsequently due to the death of one of the Draughtsmen serving in Bombay. The Counsel had also contended that in view of this order the application may not survive. However, Mr. S. R. Atre holding the brief of Mr. M. D. Lonkar, advocate for the applicant, desired to take instructions from the client before withdrawing the application.

3. Mr. Atre today has requested for permission for withdrawal of the application. Mr. R. K. Shetty, Counsel for the respondents, who is also present, has no objection. This application (O.A. No. 540/89) is accordingly disposed of as withdrawn as desired by the applicant, with no order as to costs.


(M.Y. Priolkar)
Member (A)