

CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH

Original Application No. 128/96

Transfer Application No.

Date of Decision 18.3.96

Deniz A. Rosario

Petitioner/s

Shri I.J. Naik

Advocate for  
the Petitioners

Versus

Union of India and others.

Respondent/s

Shri V.S.Masurkar


Advocate for  
the Respondents

CORAM :

Hon'ble Shri. **V. Ramakrishnan, Member(A)**

Hon'ble Shri.

- (1) To be referred to the Reporter or not ? *No*
- (2) Whether it needs to be circulated to *no*  
other Benches of the Tribunal ?

  
(V.Ramakrishnan)  
Member (A)

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH, 'GULESTAN' BUILDING NO:6  
PRESCOT ROAD, BOMBAY 1

Original Application No. 128/96

Monday, the 18th day of March 1996

Hon'ble Shri V. Ramakrishnan, Member (A)

Deniz .A. Rosario ... Applicant

By Advovcate Shri I.J. Naik

V/s.

Union of India, through  
The Secretary,  
Ministry of Home Affairs,  
Central Secretariat  
North Block, New Delhi

The Administrator  
Administration of U.T. of  
Daman and Diu  
Administrator's Secretariat  
P.C. MOTI DAMAN - 396 220

... Respondents.

By Advocate Shri V.S. Masurkar.

OR D E R (ORAL)

¶ Per Shri V. Ramakrishnan, Member(A) ¶

The applicant who had been working in the Department of Agriculture at Daman is aggrieved by his transfer to Diu in the Excise Department vide order dated 5.2.96 Annexure A1. The Tribunal by its interim direction dated 8.2.96 has stayed this order.

2. I have heard Shri I.J. Naik for the applicant and Shri V.S. Masurkar for the respondents.


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3. Shri Naik highlights various points raised in the O.A. and also in the rejoinder stating that the transfer is not justified and deserves to be quashed. Shri Masurkar does not agree with the contentions of the applicant.

4. I find that after receiving the transfer order the applicant has approached the Tribunal without submitting any representation to the concerned authorities if he has any difficulties to move out of Agriculture Department, Daman. Shri Naik now states that the applicant will be submitting a detailed representation within a week from today bringing out his personal problems. If the applicant files such a representation within one week to the concerned authority, I direct that the concerned authority to dispose of the representation within one month from the date of receipt of such representation. Pending disposal of the representation, the respondents will not give effect to the transfer order dated 5.2.96 ( Annexure A-1). All contentions raised in the O.A. are left open.

5. With the above direction/observation the O.A. is disposed of.

6. Copy of the order be given to the parties expeditiously.

  
18/2/1996  
(V. Ramakrishnan)  
Member (A)