

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH.

ORIGINAL APPLICATION NO.: 786 of 2000.

Dated this Tuesday, the 21st day of November, 2000.

CORAM : Hon'ble Shri B. S. Jai Parameshwar, Member (J).

Hon'ble Smt. Shanta Shastry, Member (A).

A. N. Bhutani,
Divisional Engineer (EC-IV),
M.T.N.L., Mumbai,
5th Floor, Goregaon Telephone
Exchange Building,
Goregaon (W),
Mumbai - 400 062.

... Applicant.

(By Advocate Shri G.S. Walia)

VERSUS

1. Union of India through
The Ministry of Communications,
Department of Telecom Services,
Sanchar Bhavan,
20, Ashoka Road,
New Delhi - 110 001.

2. The General Manager (1),
Mahanagar Telephone Nigam Ltd.,
16th floor Telephone Exchange
Building, V. S. Marg,
Prabhadevi,
Mumbai - 400 018.

... Respondents.

(By Advocate Shri V. S. Masurkar).

OPEN COURT ORDER

PER : Shri B. S. Jai Parameshwar, Member (J).

Heard Shri G. S. Walia, the Learned Counsel for the applicant and Shri V. S. Masurkar, the Learned Counsel for the Respondents.

2. The applicant is now working as Divisional Engineer (EC-IV). By the impugned order dated 05.09.2000 the applicant was transferred to Bihar Circle. A copy of the order is at Annexure A-1, page 9 to the O.A.

[Signature]

3. The applicant submitted the representation dated 25.09.2000 (Annexure A-3) page 13 to the O.A., which is not considered.

4. The main contention of the applicant in challenging the impugned order of transfer is that on 30.08.2000 he has submitted an application seeking permission to retire from service voluntarily. When that was so, the impugned order of transfer dated 05.09.2000 is not justified. By the interim order dated 07.11.2000 the applicant has been permitted to continue in the present post.

5. We make it clear that the interim order shall be in force till 30.11.2000 (AN).

6. With the above observations, the O.A. is disposed of. No order as to costs.

DASTI.

Shanta S.

(Smt. SHANTA SHASTRY)
MEMBER (A).

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B. S. Jai Parameshwar
(B. S. JAI PARAMESHWAR)
MEMBER (J).