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CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No: 969/94.

Transfer Application No:

DATE OF DECISION: 27/1/95

N.S.KUMAR

Petitioner

S.P.SAXENA

Advocate for the Petitioners

Versus

Union of India & Ors.

Respondent

R.K.Shetty

Advocate for the Respondent(s)

CORAM :

The Hon'ble Shri B.S.HEGDE, MEMBER (J).

The Hon'ble Shri

Q 1. To be referred to the Reporter or not ? Y

2. Whether it needs to be circulated to other Benches of the Tribunal ?

abp.


(B.S.HEGDE)
MEMBER (J)

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

O.A.969/94.

N.S.Kumar

... Applicant.

V/s.

Union of India & Ors.

... Respondents.

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

APPEARANCES:

Shri S.P.Saxena - Counsel
for Applicant.

Shri R.K.Shetty - Counsel
for Respondents.

ORAL JUDGMENT:

DATED: 27/1/95.

¶ Per Shri B.S.Hegde, Member(J).

Heard the arguments of the Learned Counsel
for the parties Shri Saxena for the Applicant and
Shri Shetty for the Respondents.

In this OA, the applicant has challenged the transfer order dt. 4/4/94 and also movement order of 20/7/94. The matter came for admission and Interim Relief. After hearing the Learned Counsel for Applicant, the Tribunal restrained not to effect the transfer order and movement order passed and by the respondents/directed respondents to file reply by 24/10/94. However, the respondents filed reply on 12/12/94. In the meanwhile, movement order passed by the respondents dt. 20/7/94 has been cancelled vide order dt. 14/10/94, thereafter he has been allowed to work in Pune. In this connection, the Counsel for the Applicant urged that his daughter is studying in XII standard final year Exam and her education and career prospects are of paramount importance thereby he may be retained in Pune up to end of academic session 1994/95 i.e. 31/3/95. Considering the plea of the applicant, I am satisfied that

the applicant is not averse to go on transfer, however, in the circumstances he is situated, he will be allowed to stay at Pune upto 31/3/95 thereafter he may be transferred as per the movement order issued by the respondents.

Accordingly, respondents are directed to retain the applicant till 31/3/95 for the reasons stated above and on this behalf the applicant will give an undertaking to the department stating that he will carry out the transfer/movement order after 31/3/95 without any objection.

In the light of the above, the OA is disposed of with the above stated direction. No order as to costs.

abp.


(B.S. HEGDE)
MEMBER (J)