

(2)

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

O.A.No. 195/95

DATE OF DECISION: 24.2.1995

Mr. A.S.Tiwari

..Applicant

Mr. G.S.Walia

..Counsel for applicant

V/s

Union of India & Ors.

..Respondents

Mr. V.S.Masurkar

..Counsel for respondents

Coram:

The Hon'ble Shri Justice M.S.Deshpande, V.C.

The Hon'ble Shri M.R.Kolhatkar, Member(A)

1. To be referred to the Reporter or not?
2. Whether it needs to be circulated to other Benches of the Tribunal?


Vice Chairman

(3)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, 'GUIESTAN' BUILDING NO.6
PRESKOT ROAD, BOMBAY 1.

O.A.NO. 195/95

A.S.Tiwari

..Applicant

V/s

Union of India & Ors.

..Respondents

Coram: Hon.Shri Justice M.S.Deshpande, V.C.
Hon.Shri M.R.Kolhatkar, Member(A)

Appearance:

Mr. G.S.Walia
Counsel for the applicant

Mr. V.S.Masurkar
Counsel for the respondents

ORAI JUDGMENT: DATED: 24.2.1995
(Per: M.S.Deshpande, Vice Chairman)

We have heard the Id. Counsel for the applicant. The thrust of the argument is that since the applicant happened to be a Secretary of the Union and has represented the cause of a few hundred candidates on the ground that there was not enough notice of the examination which was to be held, he has come to be transferred and the transfer was directed on 27.1.1995, after the interim relief was passed by this Tribunal in O.A.No.71/95 on 25.1.95

2. The reason given by the respondents in their reply is that there was a need for a post of HTXR at Igatpuri and the applicant was transferred along with the post to Igatpuri which is quite near to Bombay. Except to the coincidence that the date of the transfer was the same date on which the interim order was passed, we do not see any justification for the allegation of malafide.

3. The applicant has also given some personal reasons in respect of his transfer. He may make a representation in respect of the personal reasons to the respondents within a week and the respondents shall consider those personal

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grounds within two weeks and pass appropriate orders. Otherwise we see no reason for interfering with the transfer order. Since Shri Masurkar, counsel for the respondents states that the applicant has already been relieved on 31.1.1995, we vacate the status quo order. The O.A. is dismissed.

M.R.Kolhatkar

(M.R.Kolhatkar)

Member (A)

M.S.Deshpande

Vice Chairman

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