

CENTRAL ADMINISTRATIVE TRIBUNAL
BENCH AT MUMBAI

ORIGINAL APPLICATION NO. 1056/97 / 199

Date of Decision: 11-12-1997

B R Ramgade

Petitioner/s

Mr. Sureshkumar

Advocate for the
Petitioner/s

V/s.

UDI & Anor.

Respondent/s

Mr. Ravi R. Shetty

Advocate for the
Respondent/s

CORAM:

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

Hon'ble Shri

(1) To be referred to the Reporter or not?

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

M(J)

PK/132

trk

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, 'GULESTAN' BUILDING No.6
PREScot ROAD, MUMBAI 400001

O.A.No. 1056/97

DATED : 11TH DECEMBER, 1997

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

B R Ramgade
Supdt. E/M II
C/o. G.E. (NW) Karanja
PO. Naval Station Karanja
Tal. Uran, Dist. Raigad
PIN 400704 (MS)
(By Adv. Mr. Sureshkumar)

..Applicant

V/s.

1. Union of India
through Secretary
Ministry of Defence
South Block
Army HQ
New Delhi 110011

2. Chief Engineer
HQ Southern Command
Engineer Branch
Pune 411 001

(By Adv. Mr. Ravi R. Shetty,
Central Govt. Standing Counsel)

..Respondents

ORDER

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[Per: B S Hegde, Member(J)]

1. Heard the counsel. On the last occasion on the submissions made by the counsel for the applicant the transfer order dated 30.4.97 in respect of the applicant was stayed for a period of one week. The O.A. was filed on 4.12.97.

2. Respondents have not filed their reply. Learned counsel for the Respondents Mr. Ravi Shetty submitted that though the transfer order was issued by the Chief Engineer the Garrison Engineer subsequently on 25.9.97

directed release of the applicant telegraphically so as to enable the applicant join his duties at Dehu Road. The movement order was issued on 15.11.1997 after a lapse of nearly two months. Despite the same the applicant has not gone and attended to his duties where he has been posted.

3. In the circumstances the interim order passed on 5.12.1997 is hereby vacated. Learned Counsel for the applicant submits that since the transfer has taken place in the mid of the academic year the applicant be permitted to retain the Government accommodation till end of April 1998.

4. The respondents are directed to allow the applicant to retain the Quarters allotted to him till the end of April 1998. The applicant is directed to join his duties at the place of posting viz., Dehu Road within 15 days from to-day.

5. O.A. disposed of with the above directed. No costs.



(B.S. Hegde)
Member(J)