

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

Original Application No: 153/98

Date of Decision: 19.2.98

Shri P.V. Joshi. Applicant.

Applicant in person

Advocate for
Applicant.

Versus

State of Maharashtra and others.

Respondent(s)

Shri V.S. Masurkar

Advocate for
Respondent(s)

CORAM:

Hon'ble Shri. Justice R.G. Vaidyanatha, Vice Chairman.

Hon'ble Shri.

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

R.G. Vaidyanatha
(R.G. Vaidyanatha)
Vice Chairman.

NS

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH 'GULESTAN' BUILDING No: 6
PRESCOT ROAD, MUMBAI: 1

Original Application No. 153/98

Thursday the 19th day of February 1998.

CORAM: Hon'ble Shri Justice R.G.Vaidyanatha, Vice Chairman

P.V. Joshi
R/o 18/10,
Anand Nagar Park,
Paud Road, Pune.

... Applicant.

Applicant in person.

V/s.

State of Maharashtra
in Home Dept.
(Through Director General
of Police)
Old Council Hall
Shahid Bhagat Singh Road,
Opp Regal Cinema
Mumbai.

Additional Director General
of Police
State C.I.D. (Crime)
Central Bldg., Near Pune
Station, Pune.

Chief Electoral Officer,
G.A.D. Mantralaya,
Mumbai.

Union of India
(Through Union Home Ministry)
North Block
Central Secretariat
New Delhi.

... Respondents.

By Advocate Shri V.S. Masurkar.

ORDER (ORAL)

¶ Per Shri Justice R.G.Vaidyanatha, Vice Chairman ¶

This is an application filed by the
applicant challenging the order of Transfer on the
ground that it is illegal. Shri V.S. Masurkar, counsel
for State of Maharashtra orally opposes the application.
Heard Applicant who is in person and Shri Masurkar
regarding admission and interim relief.

...2...



The argument of the applicant is that his designation has been shown as S.P. C.I.D.(Crime) Pune in the order of transfer which is not correct. The applicant is working as S.P. Computer Centre. In my view even if such mistake is there, it is because of a clerical mistake and there is no dispute regarding the name in the transfer order which is correctly shown as Shri P.V. Joshi.

2. Shri Masurkar pointed out by producing the record that the transfer order has been issued at the instance of Election Commission. Now the Election process has already began in Maharashtra and all over India. It is stated that as per the direction of Election Commission the State Government had ordered the transfer of the applicant. Hence the applicant cannot have any grievance of the same.

3. The contention of the applicant is that the order of transfer has not been issued in the usual course and has not been signed by a Competent officer. Then he was argued that as per the Business Rules the order of transfer has not been approved by the Chief Minister. The applicant had already been relieved on 13.2.98 as per the order of the Spl. Inspector General of Police. Therefore the contention raised by the applicant ^{does} do not have any merit. Since the applicant has already been relieved he has to go and take the charge where he has been transferred. I do not find any merit in the O.A.

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4. In the result the application is
rejected at the admission stage. No costs.

R. G. Vaidyanatha
(R.G. Vaidyanatha)
Vice Chairman.

NS