

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

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Date of Decision: 22.9.94.

OA 128/94

CHHAVI KUMAR JAIN ... APPLICANT.

v/s.

UNION OF INDIA & ANR. ... RESPONDENTS.

CORAM:

HON'BLE MR. JUSTICE D.L. MEHTA, VICE CHAIRMAN.  
HON'BLE MISS USHA SEN, ADMINISTRATIVE MEMBER.

For the Applicant ... SHRI S.C. SETHI.

For the Respondents ... NONE.

PER HON'BLE MR. JUSTICE D.L. MEHTA, VICE CHAIRMAN.

Heard the learned counsel for the applicant. No reply has been filed on behalf of the respondents. We will not like to give any relief to the applicant in the instant case except the relief prayed in Clause No.3 para-3.

2. The applicant was transferred at his own request to the Kota Division. He submitted the joining report on 9.11.93 but he was not given any posting order. Thereafter, the respondents directed him again to go to his parent department, vide order dated 22/23.3.93. The applicant is entitled for the salary of this period as it was not the fault of the applicant but it was the fault of the respondents that they transferred the applicant and they could not take the work from the applicant. As far as the question of retransferring the applicant is concerned, the respondents should consider the case of the applicant in the light of the present position taking into consideration the past factors also.

3. The OA stands disposed of accordingly, with no order as to costs.

*U.S.S.*  
( USHA SEN )  
MEMBER (A)

*D.L. Mehta*  
( D.L. MEHTA )  
VICE CHAIRMAN