

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No.661 of 1998

Jabalpur, this the 19th day of February, 2003

Hon'ble Mrs.Meera Chhibber-Member(Judicial)

R.R.Sindoor, S/o Shri Kashi Ram, aged about 38 years, R/o Jalampur, District Dhamtari (M.P.) working as Peon in the Income Tax Office, Dhamtari (under transfer to the Office of Dy. Commissioner of Income Tax Range-II, Raipur) - APPLICANT

(By Advocate - Shri Manoj Sharma)

Versus

1. Union of India through its Secretary, Department of Revenue, Ministry of Finance, North Block, New Delhi.
 2. The Commissioner of Income Tax, Raipur, Central Revenue Building, Civil Lines, Raipur-492001.
 3. Dy. Commissioner of Income Tax, Range-II, Raipur (M.P.).
 4. Shri Balram Soni, Peon in the Office of Assistant Commissioner of Income Tax, Circle 2(1) (under transfer to Income Tax Office Dhamtari)
- RESPONDENTS

(By Advocate - Shri Shri B.da.Silva through proxy counsel Shri S.C.Sharma)

O R D E R (Oral)

By this O.A. the applicant has challenged the orders dated 5.8.1998 and 13.8.1998 (Annexures-A-1 and A-2) whereby he was transferred from ITO Dhamtari to ACIT, Cir.2(1) Raipur.

2. Today, when the matter came up for hearing, both the counsel submitted that since a long period of five years has already elapsed and the applicant had already continued at Dhamtari by virtue of stay order, let the matter be remanded back to the authorities with liberty to pass fresh orders in case the exigency to transfer him out still persists. Both the counsel submitted that this is the normal practice being adopted by Jabalpur Bench as well as in High Court of M.P. at Jabalpur in such old matters of transfer. Even though, personally speaking I do not see

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any reason to pass this type of orders in transfer matters, as once the case is filed, it must be taken to its logical conclusion by passing a definite order. But, since both the counsel agreed that such an order could be passed, this OA is being disposed of by remitting the matter back to the authorities to apply their mind on the basis of current situation in their office and to see whether it is still desirable to post the applicant out or he ^{can} ~~may~~ be retained at the same office. The respondents may pass appropriate orders within one month from the date of receipt of a copy of this order. ^{By} ~~all~~ such orders are passed, status quo shall be maintained. S

3. With the above direction, the O.A. stands disposed of with no order as to costs.

(Mrs. Meera Chhibber)
Member (Judicial)

rkv.

पृष्ठंकन सं ओ/व्या.....जयपुर, दि.....

प तिलिपि अवे धिला:-

(1) अधिक, उच्च न्यायालय जयपुर के जज, जयपुर

(2) अधिवक्ता श्री/श्रीमती/कु..... जयपुर

(3) अधिवक्ता श्री/श्रीमती/कु..... जयपुर

(4) कोषागार, जयपुर, जयपुर न्यायालय

सूचना एवं आवश्यक कार्यवाही

उप सजिस्टार 21-2-03

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