

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORDERS OF THE BENCH

Date of Order: 15.06.2012

OA No. 392/2012

Mr. P.N. Jatti, proxy counsel for
Mr. Neeraj Sharma, counsel for applicant.
Mr. Mukesh Agarwal, counsel for respondents.

Mr. P.N. Jatti, learned proxy counsel for Mr. Neeraj Sharma, counsel for applicant, submits that he does not want to press this O.A. on merit, but prayed that the respondents may be directed to consider and decide the representation, by passing a reasoned and speaking order, which has been sent by the applicant on 06.06.2012 through registered post to the respondents.

2. Mr. Mukesh Agarwal, Sr. Central Govt. Standing Counsel put appearance on behalf of the respondents and submits that the transfer order, which is under challenge in this OA, has already been upheld by this Bench of the Tribunal vide order dated 10th January, 2012 passed in OA No. 588/2011. He further submits that the representation filed earlier by the applicant has been considered and decided by the respondents vide Annexure A/1 speaking order dated 03rd January, 2012.

3. Learned counsel for the respondents also submits that pursuant to the transfer order, the applicant has not joined his duty at the transferred place. For that purpose, the respondents are always at liberty to take appropriate action against the applicant in accordance with the provision of law.

4. Be that as it may, it is always open for the respondents to consider the representation of the applicant afresh. Since the transfer order, which is under challenge in this OA, has already been upheld by this Bench of the Tribunal, I am not inclined to pass any further order on merit in this OA.

5. Consequently, as discussed herein above, the Original Application stands disposed of with no order as to costs.


(JUSTICE K.S. RATHORE)
MEMBER (J)