

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

C.P. No. 602/2018
O.A. No. 3718/2018
M.A. No. 4633/2018

The 2nd day of November, 2018

**HON'BLE MR. V. AJAY KUMAR, MEMBER (J)
HON'BLE MR. A.K. BISHNOI, MEMBER (A)**

Arun Kr. Singh,
ID No. 20035132
S/o Shri Ramayan Singh,
Aged about 48 years,
R/o Flat No. 687, Pocket-3,
Sector-19, Dwarka, N.D.-77
Working as TGT, N.Sc.
At No.2 GBSSS, Bindapur,
I.D. 1618384, New Delhi-58. .. Petitioner

(By Advocate : Shri Ranjit Sharma)

Versus

1. Mr. Sanjay Goel,
Director of Education,
Govt. of N.C.T. Delhi,
Old Secretariat, Delhi-54.
2. Mr. Arun Kumar,
Vice Principal,
No.2 GBSSS, Bindapur,
New Delhi-59, School I.D. 01125634704. .. Respondents

(By Advocate : Mrs. Harvinder Oberoi)

ORDER (ORAL)

By Mr. V. Ajay Kumar, Member (J)

Heard the learned counsel for the petitioner.

2. The applicant filed O.A. No.3718/2018 questioning the Transfer Order dated 25.09.2018, whereunder he was transferred

from Bindapur, No.2-GBSSS (1618314)(West B) to Madanpur Khadar Extn., J.J. Colony, GBSSS (1925339) (South East), raising various grounds.

3. The said O.A. was disposed of by this Tribunal vide order dated 28.09.2018 at the admission stage itself, without going into the merits of the case, and the operative portion of the same reads as under:

“5. In the circumstances, the O.A. is disposed of at the admission stage itself, without going into the merits of the case, by directing the respondents to consider Annexure-A4 representation dated 25.09.2018 of the applicant, as per rules and law, and to pass appropriate reasoned and speaking orders thereon, within 30 days from the date of receipt of a certified copy of this order. Till then, the respondents are directed to maintain status quo as of today, qua the applicant. No order as to costs.

Let a copy of the O.A. be enclosed to this order.

Order by **DASTI.**

Alleging violation of the aforesaid order, the applicant filed the instant CP.

4. It is the admitted case of the applicant that this Tribunal disposed of his O.A. on 28.09.2018 and though the applicant informed the said fact to the Principal of the School before Noon, but the Principal relieved the applicant at 1.05 p.m. and, hence, the respondents are liable for contempt of the orders of this Tribunal. It

is also the admitted case of the applicant that he has not served copy of the order of this Tribunal before he was relieved from duty.

5. Today, the learned counsel for the applicant produced an order dated 31.10.2018, whereunder the respondents have considered the representation of the applicant, as directed by this Tribunal in the O.A., and passed the said speaking order.

6. In the circumstances and in view of the relieving of the applicant before the orders of this Tribunal served on the respondents, we do not find any merit in the CP and, accordingly, the same is dismissed. However, the applicant is at liberty to question the orders dated 31.10.2018 passed by the respondents in compliance of the orders of this Tribunal, if he is so advised, in accordance with law. In the peculiar circumstances of the case, the applicant shall be permitted to join at the new place of posting within one week from today and if he joins as such, the period from 28.09.2018, i.e. the date of relief to till the date of joining at the new place, shall be treated as joining time. Pending MA, if any, stands disposed of. No order as to costs.

Order by **DASTI.**

(A.K. BISHNOI)
Member (A)

/Jyoti/

(V. AJAY KUMAR)
Member (J)