

No.15

MA-991/2004

OA-2394/2003

With

MA-992/2005

OA-2395/2003 ✓

08.08.2005

Present : Sh. Yogesh Sharma, counsel for applicant.

Sh. Rajeev Bansal and Sh. Shailendra Tiwary, counsel for respondents.

Heard the learned counsel for the parties.

By an order dated 26.9.2003 in OA-2395/2003, directions have been issued either to release the salary for the month of August, 2003 and in case the applicant has been transferred to North Western Railway then the transfer order should be duly served on him.

The condition precedent for compliance of the directions of the Tribunal and the transfer of the applicant, which is disputed by both the learned counsel of the respondents, is whether his posting in the division has been carved afresh and the North Western Railways' servants working have been impliedly employees of that division. Be that as it may, as the directions were to pass an order, MA-992/2005 is disposed of with a direction to Respondent No.2 to pass an order within six months from the date of receipt of a copy of this order keeping in view the peculiar facts and circumstances of the case.


(Shanker Raju)
Member(J)

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