

Item NO.24

M.A. No.2512/2003
O.A. No.2395/2003

23.11.2003

Present : Shri Yogesh Sharma, learned counsel of the applicant.

Shri Rajeev Bansal, learned counsel of the respondents/Applicants in MA2512/03.

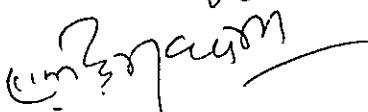
MA 2512/2003

The Original Respondents have filed this Misc. Application seeking extension of two months' time to comply with the order dated 26.9.2003 in OA 2395/2003. This Tribunal by the said order had directed the respondents to release the salary for the month of August 2003 and in case applicant has been transferred to North Western Railway then that transfer order should be duly served on him so that if applicants feels aggrieved of the same, he may challenge the same before the appropriate court of law.

2. The present Applicants/Original Respondents have stated that payment of salary has been made. However, the service of order of transfer could not be made, as the applicant is working as Head Clerk under Sectional Engineer P.Way at Rohtak, a station under Northern Railway.

3. After hearing, the learned counsel of both the parties, it appears that the order of this Tribunal dated 26.9.2003 has been substantially complied with so far as the ^{payment of} salary is concerned. The time limit stated in the said order was in respect of payment of

salary only. If there was any transfer order, the same could have been served so that the applicant could have challenged the same before appropriate court of law, if so advised. If any such transfer order has ^{not} ~~not~~ been served, the question of its being challenged does not arise. Therefore, the present misc. application No.2512/2003 seeking extension of time to implement the order of this Tribunal is misconceived. It is disposed off accordingly.



(R.K. Upadhyaya)
Administrative Member

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