

Item NO.24

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

28.11.2003

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

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

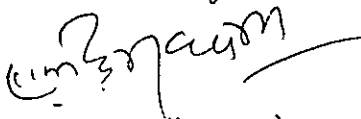
MA 2512/2003

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} 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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