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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 5848/2024 & CM APPL. 24175/2024 -Stay.

DR. ASHOK KUMAR PANDA

..... Petitioner

Through: Mr. Tushar Ranjan Mohanty and Ms
Payal Mohanty and Ms Soumya
Punna, Advs.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr. S.N. Verma, Adv.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

30.04.2024

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1. The present petition under Articles 226 & 227 of the Constitution of India seeks to assail the order dated 02.04.2024 passed by the learned Central Administrative Tribunal (Tribunal) in Original Application (O.A.) No. 3603/2023. Vide the impugned order, the learned Tribunal has not only rejected the O.A. preferred by the petitioner thereby rejecting his challenge to the order dated 10.07.2023 vide which he was transferred from Bhuvaneshwar to Ahmedabad, but has also made certain observations against the petitioner as also against his counsel.
2. On the last date, when the matter was taken up for consideration, learned counsel for the petitioner had urged that even though the transfer order was *mala fide*, the petitioner was willing to join his new



place of posting at Ahmedabad in terms of the transfer order dated 10.07.2023 subject to the respondents releasing the Transfer Travelling Allowances (TTA) to him. He has also prayed that the remarks made against the petitioner and his counsel by the learned Tribunal be expunged.

3. Today, both parties submit that the due TTA has been remitted to the petitioner on 29.04.2024. In these circumstances and for the reasons recorded in the order dated 26.04.2024, we dispose off the writ petition by granting time to the petitioner till 13.05.2024 to join at Regional Council for Research in Ayurvedic Sciences, Ahmedabad, i.e., the new place of posting. Simultaneously, we direct that the observations in the impugned order made against the petitioner's counsel would be treated as having been expunged. We further make it clear that the observations made against the petitioner in the impugned order will not come in the way of adjudication of his other pending petitions.
4. Needless to state, in case the petitioner after joining at his place of posting in Ahmedabad makes any representation to the respondents, the same will be considered as per law.
5. The petition alongwith the accompanying application stands disposed of with the aforesaid directions.

REKHA PALLI, J

SAURABH BANERJEE, J

APRIL 30, 2024/acm