

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

OA-2971/2002

New Delhi this the 15th day of November, 2002.

Hon'ble Dr. A. Vedavalli, Member(J)

Sh. K. Bhattacharya,
S/o Sh. Sisir Bhattacharya,
R/o Nursing Orderly,
CISF 54th Res BBn.,
Ghaziabad(UP). Applicant

(through Sh. A.K. Trivedi, Advocate)

Versus

1. Union of India through
the Secretary,
Ministry of Home Affairs,
North Block,
New Delhi-1.
2. The Director General,
Central Industrial Security Force,
(Ministry of Home Affairs),
Block-13, CGO's Complex,
Lodhi Road, New Delhi-3.
3. The Dy. Inspector General,
Central Industrial Security Force,
CISF Complex, Saket, New Delhi.
4. Comdt. CISF,
5th Res Bn Ghaziabad. Respondents

ORDER (ORAL)

Heard the learned counsel for applicant.

2. The applicant K. Bhattacharya, Nursing Orderly, working under Respondent No.4 is aggrieved by his posting/transfer order dated 2/3.4.2002 (Annexure A/1) and also by the order dated 04.09.2002 (Annexure A/2). He claims the following reliefs in this O.A.:-

- "(a) Quash/Set aside the impugne order ddated 2/3.4.2002 and order of rejection of representation dt. 4.9.2002. Declaring as illegal, unjust, arbitrary, malafide and violative of principles of natural justice, and consequently the applicant may be retained at 5th Res Bn, CISF Ghaziabad.



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- (b) Direct the respondents to formulate a posting policy/guidelines within a specific time frame in respect of Civilian Nursing orderlies in CISF to avoid any malafide or discrimination at the hands of the departmental authorities.
- (c) Any other relief which this Hon'ble Tribunal may deem fit and proper in the facts of the case.
- (d) Award costs."

3. Learned counsel for applicant submits that he has not submitted any fresh representation to the respondents regarding his grievances after his earlier representation was rejected by the second impugned order dated 4.9.2002 (Annexure A/2). He presses that the O.A. may be disposed of at the admission stage with direction to the respondents to treat the present O.A. itself as a representation and dispose of the same within a particular time frame to be fixed by the Tribunal.

4. In view of the above, the O.A. is disposed of at the admission stage itself with the direction to respondents to treat the present O.A. as a representation from the applicant regarding his grievances mentioned in the O.A., examine the same on its merits in the light of the relevant rules, instructions and judicial pronouncements on the subject and dispose of the same with a detailed and speaking order in accordance with law under intimation to the applicant within one month from the date of receipt of a copy of this order.

AD

5. In case any grievance further survives thereafter the applicant is granted liberty to approach this Tribunal in fresh original proceedings, if so advised, in accordance with law.

6. Registry is directed to send a copy of this O.A. alongwith a copy of this order to respondents.

A. Vedavalli

(Dr. A. Vedavalli)
Member(J)

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