

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

OA No. 061/1277/2019

Chandigarh, this the 17th day of December, 2019

CORAM: HON'BLE MR.SANJEEV KAUSHIK, MEMBER (J)

MES No. 510718, Aditya Kumar S/o Sh. Dinesh Kumar, aged 37 years, working as Junior Engineer (QS&C) in the office of Garrison Engineer (S), Akhnoor-181001.

.....Applicant

BY ADVOCATE: **SH. D.R. SHARMA**

VERSUS

1. Union of India through Secretary, Ministry of Defence, South Block, New Delhi – 110 011.
2. Engineer-in-Chief, Military Engineer Services, Engineer-in-Chief's Branch, Integrated Headquarters of MoD (Army), Kashmir House, DHQ, PO, New Delhi-110 011.
3. Headquarter, Chief Engineer, Northern Command, Udhampur, JK-182001
4. Garrison Engineer MES (S), Akhnoor-181001.

.....Respondents

BY ADVOCATE: **SH. SANJAY GOYAL**

ORDER (ORAL)

MR. SANJEEV KAUSHIK, MEMBER(J):-

1. The present OA has been filed against the transfer of the applicant made vide order dated 06.12.2019 (Annexure A-3), whereby his transfer has been diverted from GE 970 EWS/Akhnoor to GE 861 EWS/Anantnag.

2. The applicant has taken various grounds for invalidation of the impugned transfer order. While making arguments for invalidating the impugned transfer, Sh. D.R. Sharma, learned counsel for the applicant apprises this court that against his transfer order, the applicant has submitted a representation dated 09.12.2019,

against his transfer which is pending consideration. Therefore, he makes a statement at the bar, that the applicant will be satisfied if a time bound direction is



issued to the respondents to decide his pending representation. He further informs this court that the applicant will be relieved by 20.12.2019. Hence, he requests that till the respondents decide the representation of the applicant, his movement order be stayed.

3. Issue notice.

4. Sh. Sanjay Goyal, Advocate, accepts notice on behalf of the respondents. He resists the prayer of the applicant for staying the transfer order of the applicant till the respondents decide his representation.

5. Considering the fact that the applicant has a right to represent against the impugned transfer order and keeping in view that his representation is pending unanswered, I deem it appropriate to direct the respondents to decide the representation of the applicant within seven days from today. Till then, the applicant is allowed to continue on his present place of posting. The order, so passed on his representation, will be communicated to the applicant.

6. Thus, without commenting anything on the merits of the case, this OA stands disposed of with the above directions. No costs.

(SANJEEV KAUSHIK)
MEMBER (J)

Dated: 17.12.2019
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