

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA



No. O.A. 350/01313/2018

Date of order: 01.01.2020

Present : Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. Nandita Chatterjee, Administrative Member

AJANTA GOSWAMI

VS.

UNION OF INDIA & ORS. (CPWD)

For the Applicant : Mr. K. Sarkar, Counsel

For the Respondents : Ms. D. Nag, Counsel

**ORDER (Oral)****Per Dr. Nandita Chatterjee, Administrative Member:**

The applicant has approached this Tribunal in the instant O.A. under Section 19 of the Administrative Tribunals Act, 1985 praying for the following relief:-

- “(i) To issue direction upon the respondents and their men and agents to cancel/quash and/or set aside the impugned order of transfer/postings dated 17.4.2018 forthwith.
- (ii) To issue further necessary direction upon the respondent and their men and agents to cancel/quash and/or set aside the impugned reasoned and speaking order dated 24.8.2018 forthwith.
- (iii) To issue appropriate necessary direction upon the respondents to allow the applicant to work as Office Assistant (Promoted Post) in any vacant office in Nizam Palace forthwith.
- (iv) Any further order or orders as the Hon'ble Tribunal may deem fit and proper.”

2. Heard both ld. Counsel, examined pleadings and documents on record.

3. Ld. Counsel for the applicant would submit that the applicant has approached this Tribunal in second stage litigation challenging the speaking order issued in compliance to the directions of this Tribunal dated 6.7.2018 in O.A. No. 350/00978/2018 in which the prayer of the

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applicant for (i) staying the order of transfer from Nizam Palace to KCED-VII, Kolkata as well as (ii) change of place of posting (upon promotion) in the grade of Office Superintendent from Kolkata Central Elect. Division No. VII, Kolkata to any office located in Nizam Palace, Kolkata was not agreed to.

Ld. Counsel for the applicant would further submit that after the disposal of her representation vide speaking order, so impugned, the applicant has been further transferred to Salt Lake and the applicant has been further aggrieved on account of such transfer. Ld. Counsel would thereafter urge that the applicant be given liberty to prefer a comprehensive representation in which she would request the respondent authorities to reconsider her transfer and that, once so preferred, the respondent authorities may be directed to dispose of the same in a time bound manner.

4. Ld. Counsel for the respondents would not object to disposal of such representation in accordance with law.

5. Accordingly, we dispose of this O.A. by granting the applicant liberty to prefer such representation within a period of 4 weeks from the date of receipt of a copy of this order, and, in the event such representation is received by the concerned respondent authority, the said respondent authority shall dispose of the same in accordance with law and convey his decision in the form of a reasoned and speaking order within 8 weeks thereafter.

6. With these directions, the O.A. is disposed of. No costs.

(Dr. Nandita Chatterjee)
Administrative Member

(Bidisha Banerjee)
Judicial Member

SP