

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

O.A. NO. 1704/95

New Delhi, this the 16th day of October, 1995

Hon'ble Shri N.V. Krishnan, Acting Chairman

Hon'ble Smt. Lakshmi Swaminathan, Member (Judicial)

Shri R.C. Chatrath,
Deputy Director (Mech)
HQ office,

Ministry of Industry,
Office of D.C. (Small State Industries),
Nirman Bhawan, New Delhi.

... Applicant

By Advocate: Shri H.K. Gangwani
Vs.

Union of India
through

1. The Secretary,
Ministry of Industry,
Govt. of India,
Udyog Bhawan, New Delhi.

2. Shri S.A.T. Rizvi,
A.S. & Dev. Commissioner,
Small Scale Industries,
Ministry of Industry,
Nirman Bhawan, New Delhi.

3. Shri P.K. Goswami,
Director, SISI Okhla,
New Delhi.

4. Shri M.K. Bhatt,
Dy. Director,
H.Q. office,
Ministry of Industry
(Small Scale Industries),
Nirman Bhawan,
New Delhi.

... Respondents

By Advocate: Shri M.M. Sudan, counsel for Respondent No. 1 to 3

Shri Ashish Kalia, counsel for Respondent No. 4

O R D E R (ORAL)

Hon'ble Shri N.V. Krishnan, Acting Chairman

The applicant approaches the Tribunal with a
complaint against the order of transfer (Annexure A-1)

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dated 29.8.95 and Annexure A-2 the order of his relief dated 29.8.95. On notice the respondent Nos. 1 to 3 i.e. Government have filed the reply as also the private respondent No.4.

2. In para 4.8 of the reply of the Govt. it is stated as under:

"The applicant has not brought the facts relating to his medical history to the notice of the respondents. These facts are not mentioned even in his representation dated 30.8.95 submitted by him against his transfer. The Medical certificates submitted to Hon'ble CAT along with petition, however, relate to 1990. The respondents have no objection to consider his case for appropriate action on merit on the basis of current/recent medical evidence made available to them."

When this matter came for admission today, our attention was drawn to this submission of the Govt. We have heard ^{view of} the parties. We are of the view that in/this stand taken by the Government it is possible to dispose of O.A. itself at the admission stage with a suitable direction to the parties. We, therefore, direct the applicant to submit a self-contained and complete representation inclusive of medical certificates to second respondent within a week from the date of receipt of this order and in case such a representation is received, the second respondent is directed to pass an appropriate order after

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considering all the points raised in the representation within a period of one month from the date of receipt of such representation. In view of what has been submitted by the applicant about his illness we are sure that the representation submitted by him would receive sympathetic consideration. The O.A. is disposed of with this direction, leaving the applicant free to agitate the matter again in accordance with law if so advised, in case he is aggrieved by the order passed by the respondents. O.A. is disposed of accordingly. No costs.

Lakshmi Srinivasan

(SMT. LAKSHMI SWAMINATHAN)
MEMBER(J)

N.V. Krishnan
16/2/81

(N.V. KRISHNAN)
ACTING CHAIRMAN

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