



**Central Administrative Tribunal
Principal Bench, New Delhi**

OA No. 1802/2020

Today this the 17th day of November, 2020

Through video conferencing

**Hon'ble Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. A. K. Bishnoi, Member (A)**

Avnish Bansal, Joint Commissioner, Group A,
Age 37 eyars,
S/o Sh. R. C. Bansal,
R/o 917/o, Panchkula,
Working as office of Commissioner of GST & Central
Excise, Howrah, M. S. Building, 15/1,
Strand Road,
Kolkata – 700001.

...Applicant

(Mr. M. K. Bhardwaj, Advocate)

Versus

Union of India thorough its

1. The Secretary,
Ministry of Finance,
Dept. Of Revenue, North Block,
New Delhi.
2. Central Board of Indirect Taxes and Customs,
Through its Chariman,
North Block, New Delhi.

..Respondents

(Mr. Piyush Gaur, Advocate)

Order (Oral)



Justice L. Narasimha Reddy:

The applicant is an Indian Revenue Service (IRS) officer of 2009 batch. Ever since his appointment he worked in Delhi Central Services only and on 25.05.2019, he was transferred to an office at Kolkata. After joining duty at that place, he made a representation dated 18.07.2019 with a request to post him nearer to his native place. The applicant contends that he is a physically handicapped person and the policy provides for posting of such employees nearer to their native place.

2. We heard Mr. M. K. Bhardwaj, learned counsel for the applicant and Mr. Piyush Gaur, learned counsel for the respondents.

3. The applicant is holding a post of All India Service i.e., IRS. An incumbent in that service is required to be posted at any place in the country. The respondents were, in a way, indulgent towards the applicant in continuing him for period of 10 years, at the same place.

4. The transfers in the department are guided by certain policy norms.. The circumstances, under which the applicant came to be transferred to Kolkata, do not need to be examined, since he did not have any qualms about it. The applicant wants a posting nearer to his native place. The question as to whether



he fits into the policy norms and whether administrative exigencies enable that type of posting, needs to be examined by the respondents. We cannot give any positive direction in this behalf.

5. We, therefore, dispose of the OA directing the respondents to pass orders on the representation dated 18.07.2019 made by the applicant within a period of two months from the date of receipt of copy of this order. There shall be no order as to costs.

(A. K. Bishnoi)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/pj/ns/ankit/dsn/akshaya2dec/