



**Central Administrative Tribunal
Principal Bench**

OA No.809/2020

New Delhi, this the 17TH day of June, 2020

Hon'ble Mr. R.N. Singh, Member (J)
Hon'ble Ms. Aradhana Johri, Member (A)

Kshitiz Gupta, aged 46 years
s/o Sh. G.K. Gupta,
working as Superintending Engineer (Selection Grade)
in 505 Army Base workshop, New Delhi.
r/o P-4B, Kirbi Palace, Delhi Cantt.-10 ...Applicant

(By Advocate : Shri Yogesh Sharma)

Versus

1. Union of India through the Secretary,
Ministry of Defence, Govt. of India,
New Delhi.
2. The Director General of EME,
MGO's Branch, Army Head Quarter,
Integrated HQ of MOD (Army)
DHQ, PO New Delhi. ...Respondents

(By Advocate : Shri Gyanendra Singh)

ORDER (ORAL)

Hon'ble Mr. R.N. Singh, Member(J) :-

Heard learned counsel for the applicant.

2. In the present application filed under Section 19 of the Administrative Tribunals Act, 1985, the applicant has challenged posting order dated 22.05.2020 (Annexure A-1) and movement order dated 11.06.2020 (Annexure A-2) by which the applicant has been given posting in 512, Army Base Workshop at Pune.



3. Sh. Yogesh Sharma, learned counsel appearing for the applicant submits that the applicant is having no grievance with regard to his transfer as the applicant is holding the position of the Superintending Engineer (SE) and the post is having All India transfer liability. However, he further submits that the grievance of the applicant is that the applicant is going to be posted as Executive Engineer (EE) and not as SE, the post which he is holding and thus the applicant apprehends that his status is going to be reduced from SE to EE. He further submits that for redressal of his grievance, the applicant had also preferred a representation dated 04.06.2020 and the same has not been disposed of by the respondents till date.

4. Issue notice. Shri Gyanendra Singh, learned standing counsel accepts notice and submits that he has received telephonic instructions to submit that the applicant has been posted in the rank and post of Superintending Engineer and he has not been down-graded in any manner.

5. At this stage, Sh. Yogesh Sharma, learned counsel for the applicant submits that the applicant shall be satisfied if the present OA is disposed of with a direction to the respondents to consider the applicant's aforesaid representation dated 04.06.2020 expeditiously by passing a reasoned and speaking order.

6. In view of the aforesaid facts and circumstances, we are of the considered view that the present OA can be disposed of with direction to the respondents to consider the applicant's aforesaid representation dated 04.06.2020 and to dispose of the same by passing an appropriate order as



expeditiously as possible and in any case within four weeks from the date of receipt of a copy of this order. We further clarify that we have not entered into the merits of the claim of the parties by passing the present order. The OA is disposed of in the aforesaid terms. However, in the facts and circumstances, no order as to costs.

(Aradhana Johri)
Member (A)

(R.N. Singh)
Member (J)

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