

**Central Administrative Tribunal
Principal Bench**

OA No.1014/2020

New Delhi, this the 10th day of August, 2020

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

Gaurav Sharma
S/o Late Ved Prakash Sharma
Aged about 33 years,
R/o C/o Sushil Kumar Sharma
C-184, DDA, LIG Flats, East of Loni Road,
Shahdara, New Delhi 110 032.

Permanent Address

Mohalla Brahamdarwaza,
Village & Post Bhawan Bhadur Nagar,
Distt Bulandshahar, UP 245002.

... Applicant.

Working as Designated Barrack Store Officer in Garrison Engineer
North, Meerut Cantt.

(By Advocate : Shri Phool Kumar)

vs.

1. Union of India
Through its Deputy Secretary (Vig-BR/MES)
Ministry of Defence
Room No.236 A, B- Wing,
Sena Bhawan, New Delhi 110 011.
2. Engineer in Chief Branch
Military Engineer Service
Kashmir House, Raja Ji Marg,
New Delhi 110 011.
3. Headquarter Chief Engineer
Central Command
Military Engineer Services,
Pin 900450, C/o56 APO.

4. Headquarters Chief Engineer
Bareilly Zone, Military Engineer Services,
Sarvatra Bhawan, Station Road,
Bareilly Cantt 243001.
5. Headquarter Commander Works Engineer
Military Engineer Services
29-J, The Mall Meerut Cantt.
6. Garrison Engineer (North)
Military Engineer Services,
19-J, The Mall Meerut Cantt.
7. Sh. Sandeep Thapa
Barrack Store Officer (North)
19-J, The Mall Meerut Cantt. ... Respondents.

(By Advocate : Shri Rajeev Kumar)

: O R D E R (ORAL) :

Justice L. Narasimha Reddy, Chairman:

The applicant is working as Barrack Store Officer (BSO) in the Military Engineering Service since the year 2014. Initially, he was posted at an establishment of Garrison Engineer (North East States) on 15.06.2019. He was transferred to an establishment at Meerut. The 7th respondent is said to be his predecessor in the Office. The applicant submits that he found several discrepancies while taking charge and instead of accepting the discrepancies, or taking corrective steps, the 7th respondent is not cooperating, and though the issue was taken to the notice of the 2nd respondent, no action is taken thereafter.

2. The office of the second respondent insisted the applicant to take over charge w.e.f. 20.06.2020. It was also mentioned that the applicant would be held responsible to carry out all the duties and responsibilities of BSO (North) and he is to sign all the correspondences. This O.A. is filed challenging the order dated 20.06.2020. The applicant has also incorporated various prayers such as the disciplinary proceedings be initiated against 7th respondent, the 2nd respondent be directed to take corrective steps and a high level inquiry be ordered into the entire episode.

4. The applicant contends that inspite of his repeated requests and correspondences, the 2nd respondent did not take any steps to ensure that the 7th respondent hands over the charge in accordance with the prescribed procedure.

5. We heard Shri Phool Kumar, learned counsel for the applicant and Shri Rajeev Kumar, learned counsel for the respondents, at the stage of admission, at length.

6. It is rather unfortunate that on a simple issue of taking over charge in a Barrack Store, the applicant has developed an unnecessary correspondence and dodged the entire issue for one complete year. It is a matter of routine that as and when transfer takes place, the handing over and taking over the charge occurs. Even if there is any discrepancy in the stocks or other items at the time of taking charge, the new incumbent would only make a

note of it and bring it to the notice of the higher officer. Beyond that, he cannot embark on fixing the responsibility and cannot dodge the issue for months together. The synopsis furnished by the applicant discloses that he addressed as many as 86 letters to the 2nd respondent in this regard. It is nothing but an act of indiscipline and testing the patience of the higher officials. Out of sheer indulgence towards the applicant, the respondents ordered him to take charge though one year has elapsed. The applicant is not inclined to take charge. It is not even clear as to what he was doing for the past one year. An important organization like the Military Engineering Service cannot afford to tolerate such an act.

7. We do not find any merit in the O.A. and the same is accordingly dismissed. There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/pj/sd