

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

(This the **29th Day of September**, 2020)

Hon'ble Mrs. Justice Vijay Lakshmi, Member (Judicial)
Hon'ble Mr. Devendra Chaudhry, Member (Administrative)

Original Application No.330/511/2020

Mohd Rafeek Khan, S/o Wakeel Ahmed Khan, Resident of House No.548N/2A Rajapur Unchwa Garhi, Post Rajapur District Prayagraj.

..... **Applicant**

By Advocate: Shri B.N. Singh

Versus

1. Union of India through Secretary Ministry of Ayurveda Yoga and Naturopathy Unani, Siddha and Homeopathy (AYUSH) Government of India.
2. Director General Central Council for the Research in Unani Medicine Ministry of Ayush Government of India, New Delhi.
3. Research Officer Incharge Regional Research Centre (Unani) B 501/4 GTB Nagar Kareli Prayagraj.
4. Dr. Ashok Kumar Research Officer Incharge Regional Research Centre (Unani) B 501/4 GTB Nagar Kareli Prayagraj.

..... **Respondents**

By Advocate: Shri L.P. Tiwari

ORDER

By Hon'ble Mrs. Justice Vijay Lakshmi, Member (Judicial)

We have joined this Division Bench online through Video Conferencing facility.

2. Shri B.N. Singh, learned counsel for the applicant is present in the Court and Shri L.P. Tiwari Advocate, who has received advance notice on behalf of respondents, has appeared online through video conferencing.

3. Applicant is aggrieved by his transfer order dated 22.09.2020 whereby he has been transferred from Allahabad to Kolkata. The relieving order has also been passed on the same day.

4. Heard learned counsel for parties on the point of admission and perused the record available with us in pdf form.

5. At the very outset Learned counsel for applicant submitted that his representation dated 24.9.2020 is pending consideration before the respondents and the applicant will be satisfied if a direction is issued to respondent No.2/competent authority amongst the respondents to consider and decide the aforesaid representation in a time bound manner. Learned counsel for the applicant, in this regard, has drawn our attention to relief column of the OA in which relief No. iii is to the same effect.

6. Learned counsel for the respondents contends that although he has no objection against the limited prayer made by learned counsel for applicant to decide his representation, but he has objection regarding the prayer made in the OA because since the year 2011, the applicant is working at Allahabad whereas his job is transferrable on all India basis.

7. Be that as it may, at present, without entering into the merits of the case, in view of the limited prayer made by the learned counsel for applicant, it appears that no useful purpose will be served in keeping this OA pending and it is disposed off at the admission stage itself with a direction to the respondent No.2 or the Competent

Authority amongst the respondents, to decide the representation of the applicant dated 24.09.2020, by a reasoned and speaking order within a period of one month from the date of receipt of certified copy of this order under intimation to the applicant.

8. For a period of one month or till the disposal of his representation, whichever is earlier, no coercive action shall be taken against the applicant in pursuance of the impugned transfer order and relieving order.

9. No order as to costs.

10. Hon'ble Shri Devendra Chaudhry, Member (Administrative) has consented to this order through Video Conferencing.

(Devendra Chaudhry)
Member (A)

(Justice Vijay Lakshmi)
Member (J)

Anand...