

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Original Application No.203/00479/2020

Jabalpur, this Wednesday, the 23rd day of September, 2020

HON'BLE SHRI RAMESH SINGH THAKUR, JUDICIAL MEMBER
HON'BLE MS. NAINI JAYASEELAN, ADMINISTRATIVE MEMBER



Alok Gomasta
 S/o Shri Ramesh Kumar Gomasta
 Aged about 50 years ASP (Vigilance)
 Chhattisgarh Circle, CPMG Office/Raipur,
 Resident at House No.48/351 Shubham
 Besides Hanuman Temple Bhoi Para,
 Chandu Dhumal Wali Gali Raipur 492001

-Applicant

(By Advocate –**Shri B.P. Rao**)

V e r s u s

1. Union of India,
 Through The Secretary
 Ministry of Communication
 Department of Posts
 New Delhi 110001

2. The Director (SPN) Ministry of Communication
 Dak Bhawan Sansad Marg, New Delhi 110001

3. The Director General, Postal Services,
 Postal Directorate New Delhi 110001

4. The Chief Post Master General Chhattisgarh
 Circle M.G. Road, Raipur 492001

5. The Assistant Director (Staff)
 Chhattisgarh Circle M.G. Road, Raipur 492001 - **Respondents**

(By Advocate –**Shri Vivek Verma**)

O R D E R (Oral)

By Ramesh Singh Thakur, JM:-

This Original Application has been filed against the transfer order dated 13.05.2020 (Annexure A-4) wherein the applicant has been transferred from ASP (Vig) Circle Office Raipur to ASP Sub-Dn Ambikapur.



2. It has been submitted by the counsel for the applicant that though the applicant has been transferred from Raipur to Ambikapur but due to COVID-19 Pandemic situation the applicant could not join there. It has been further submitted by the counsel for the applicant that the transfer order is against the instructions and guidelines issued by the respondents wherein it has been specifically mentioned that the controlling authority should not issue transfer order against the instructions and guidelines issued by their own higher and superior authorities, therefore, the issuance of transfer order of applicant at Govt. cost at Ambikapur which involved Government expenditure in payment of TA/TP is against the respondent's instructions dated 17.04.2020 (Annexure A-2) and 06.05.2020 (Annexure A-3), is thus liable to be quashed. Though the choice of transfer places has been submitted by the applicant vide Annexure A/1 but the respondent-department has not considered.

3. It has been submitted by the applicant that he has made representation vide Annexure A/6 and A/7 which is still pending with the respondents for consideration.

4. Counsel for the respondents submits that the applicant has already been relieved in the month of May, 2020.



5. We have considered the submissions made by both the parties and we are of the view that the natural justice will be met if the respondents are directed to decide the representations dated 07.08.2020 and 09.09.2020 (Annexure A/6 and A/7) of the applicant in a time bound manner.

6. Resultantly, the respondents are directed to decide the said representations Annexure A/6 and A/7 within a period of four weeks after receiving the copy of this order.

7. Needless to say that the respondents shall pass the reasoned and speaking order on all the contentions raised in representations Annexure A/6 and A/7.

8. With these observations, this Original Application is disposed of at admission stage itself.

(Naini Jayaseelan)
Administrative Member

(Ramesh Singh Thakur)
Judicial Member

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