



**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

O.A. No. 060/272/2020

Chandigarh, this the 9th day of October, 2020

HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)

HON'BLE MRS. AJANTA DAYALAN, MEMBER (A)

Jitender Ahlawat, IFS, aged 36 years S/o Shri Jai Singh Ahlawat, Deputy Conservator of Forests (T), Sirsa, Haryana-125055. Group 'A'.

...Applicant

(By Advocate: Mr. R.K. Sharma)

Versus

1. Union of India through its Secretary, Govt. of India, Ministry of Environment & Forest and Climate Change, (MOEFCC) Indira Paryavaran Bhawan, Jor Bagh, New Delhi – 110 001.

2. State of Haryana through its Additional Chief Secretary, Forest & Wild Life, Govt. of Haryana, New Civil Secretariat, Sector 17, Chandigarh- 160 017.

... Respondents

(By Advocate: Mr. S.K. Vashisht)

O R D E R (Oral)**SANJEEV KAUSHIK, Member(J):**

1. Sh. Jitender Ahlawat, who is a 2010 Cadre Officer of Indian Forest Service, allocated to the State of Haryana, is before this court for invalidation of his transfer order dated 31.01.2020 (Annexure A-1), whereby he has been transferred from Yamunanagar to Sirsa, on various grounds including that the wife of the applicant is working in a Government aided college at same place which receives 95% aid. In terms of Annexures A-4 and A-5 dated 26.09.1986 and 30.09.2009 respectively issued by the Government the spouses should be kept at the same station as far as possible. The other ground taken is that the applicant has been frequently transferred before completion of his tenure of two years which is contrary to Hon'ble Supreme Court judgement in T.S.R. Subramanian & Ors. Vs. UOI & Ors. decided on 31.10.2013, JT 2013 Volume 14 Page 124.

2. The case is taken up for hearing after completion of the pleadings.

3. We have heard the learned counsel for the parties. Sh. R.K. Sharma, learned counsel for the applicant submits that since the respondents have cancelled the transfer of some of the IFS officers, therefore, let his



representation which is pending consideration be directed to be decided as per law and policy. Also, applicant be given opportunity to move a supplementary representation by taking ground which the applicant has taken in the present OA.

4. Learned DAG appearing on behalf of State of Haryana submits that the transfer of the officer is not in violation of any policy.

5. Be That As It May, we dispose of this OA by giving liberty to the applicant to submit a supplementary representation within one week from today in addition to earlier representation. If the same is filed in indicated time, then the respondents are directed to look into the grievance of the applicant by passing a reasoned and speaking order in accordance with law and policy within a period of one month thereafter. Order so passed be duly communicated to the applicant. Needless to say, we have not expressed any opinion on the merit of the case. No costs.

(Ajanta Dayalan)
Member (A)

(Sanjeev Kaushik)
Member(J)

Place: Chandigarh
Dated: 09.10.2020
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