

**CENTRAL ADMINISTRATIVE TRIBUNAL
MADRAS BENCH**

OA No.310/00156/2020

Dated Monday the 3rd day of February, 2020

P R E S E N T

**Hon'ble Shri. P. Madhavan, Member (J)
&
Hon'ble Shri. T. Jacob, Member (A)**

P.C. Pandey
3/282, LIG Avas Vikas Parishad Yojna No. 3
Junsi, Allahabad 211 109
Presently posted at
618 Anna Salai
Teynampet
Chennai 600 018.

... Applicant

By Advocate M/s Chennai Law Firm

Vs

1. Comptroller General of Defence Accounts
Office of the CGDA
Ullan Batar Road
Palam
Delhi Cantt 110 010.

2. Controller of Defence Account (IDS)
130, Kashmiri House
Rajaji Marg
New Delhi 110 001.

... Respondents

By Advocate Mr. M. Kishore Kumar

(Order: Pronounced by Hon'ble Mr.P.Madhavan, Member(J))

The applicant has filed this OA under Section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:

“1. To allow the applicant to exercise his choice with regard to preferred station of posting after completing a tenure in Hard Station and post him either to his Second station of choice or Third station of choice as the respondents expressed their inability to post him in his First station of choice as per the Transfer Policy

2. To award costs, and pass such further and other orders as may be deemed proper and thus render justice.”

2. The applicant, a Senior Auditor in the respondent department, filed OA 916/2018 aggrieved by his transfer from Port Blair to Chennai. The said OA was disposed of by order dated 11.02.2019 with a direction to the applicant to make a fresh representation to the 2nd respondent for transfer to a choice location and the 2nd respondent may decide the same in accordance with law and the transfer policy. In compliance of the said order, the respondents have passed the impugned order dated 30.04.2019 rejecting the request of the applicant to retain in Port Blair. The grievance of the applicant is that his request for posting in second and third choice location has not been considered by the respondents and hence this OA.

3. *Learned counsel for the applicant submits that the applicant has submitted representation for considering his remaining options for transfer to Port Blair, Allahabad, Gorakhpur, Lucknow, Guwahati but the impugned order seems to be an order passed only on the first option and he will be satisfied if direction is given to the competent authority to consider his second and third option and pass orders within the time limit stipulated by this Tribunal.*

4. Mr.M.Kishore Kumar, Senior Panel Counsel, takes notice on behalf of the respondents and submits that if a direction is given by this Tribunal, the respondents will consider and pass orders.

5. In view of the limited relief sought and without going into the substantive merits of the case, the OA is disposed of in the following lines:

“The competent authority is directed to consider the request of the applicant for posting in second and third choice location in the light of relevant rules and regulations & transfer norms and pass a reasoned and speaking order within a period of two months from the date of receipt of copy of this order.”

(T.JACOB)
MEMBER (A)

(P.MADHAVAN)
MEMBER (J)

03.02.2020

M.T.