

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

Original Application No.180/00038/2020

Tuesday, this the 19th day of January 2021

C O R A M :

**HON'BLE Mr.P.MADHAVAN, JUDICIAL MEMBER
HON'BLE Mr.K.V.EAPEN, ADMINISTRATIVE MEMBER**

Vinisha.A.V.,
W/o.Sandeep.K.S.,
Aged 34 years,
Junior Engineer (Civil),
O/o.the CE (NW) Kochi,
Naval Base, Kochi.
Residing at Koodaoarabil House,
Parapookara P.O., Thrissur.

...Applicant

(By Advocate Mr.R.Sreeraj)

v e r s u s

1. Union of India
represented by its Secretary to the Government of India,
Ministry of Defence, New Delhi – 110 001.
2. The Engineer in Chief,
Military Engineer Services,
Integrated Headquarters, New Delhi – 110 001.
3. The Chief Engineer Southern Command,
Military Engineer Services,
Pune – 411 001.
4. The Chief Engineer (NW),
Military Engineer Services,
Naval Base, Kochi – 682 004.

...Respondents

(By Advocate Mr.N.Anilkumar, SCGSC)

This application having been heard on 19th January 2021, the Tribunal
on the same day delivered the following :

ORDER

Per : Mr.P.MADHAVAN, JUDICIAL MEMBER

When the matter came up for hearing today, learned counsel for the applicant submits that this is a matter relating to transfer ordered on 2019 and more than one and a half years already elapsed. It is further submitted that 2020 transfer exercise is going on and the applicant will be satisfied if he is permitted to file a representation for transfer within a period of two weeks and the competent authority may consider the same in the light of the relevant rules and regulations within a stipulated time. Learned counsel for the respondents has no objection for considering the representation of applicant.

2. In view of the above limited relief sought by the learned counsel for the applicant, the O.A is disposed of directing the applicant to file a detailed representation relating to transfer within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, **the competent authority shall consider the representation so filed in the light of the relevant rules and regulations and pass a speaking order within a period of one month from the date of receipt of the representation.** Till then status quo shall continue.

3. The O.A is disposed of accordingly. No order as to costs.

(Dated this the 19th day of January 2021)

K.V.EAPEN
ADMINISTRATIVE MEMBER

P.MADHAVAN
JUDICIAL MEMBER

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List of Annexures in O.A.No.180/00038/2020

- 1. Annexure A-1** – A copy of the Order No.132601/Sur-Defi-19/JE(Civ)/01/E1B(S)/A1(a) dated 15.10.2019.
 - 2. Annexure A-2** – A copy of the Letter No.132601/Sur-Defi 2019/01/E1B(S)/A1(a) dated 08.08.2019.
 - 3. Annexure A-3** – A copy of the representation dated 28.08.2019 submitted by the applicant.
 - 4. Annexure A-4** – A copy of the representation dated 19.10.2019 submitted by the applicant.
 - 5. Annexure A-5** – A copy of the Order No.132601/Sur-Defi-19/JE(Civ)/13/E1B(S)/A1(a) dated 19.12.2019.
 - 6. Annexure R-1** – A copy of the relevant extract of new posting policy issued by Directorate General (Pers.), Engineer-in-Chief's Branch vide their letter No.B/20148/PP/E1C(1) dated 18.02.2019.
 - 7. Annexure R-2** – A copy of the letter No.132601/Sur-Defi 2019/01/E1B(S)/A1(a) dated 08.08.2019.
 - 8. Annexure R-3** – A copy of the order dated 21.12.2018 in O.A.No.253/2018.
 - 9. Annexure R-4** – A copy of the letter No.132601/Adm-17/JE(Civ)/106/E1B(S)/A1(a) dated 02.04.2019.
 - 10. Annexure R-5** – A copy of the posting policy issued vide their letter No.B/20148/PP/E1C(1) dated 18.02.2019.
 - 11. Annexure R-6** – A copy of the Surplus/Deficient adjustment posting-2019 through order No.126010/Misc/Conf/48/E1O(C) dated 13.09.2019.
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