

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR



Original Application No.202/00321/2020

Jabalpur, this Monday, the 22nd day of June, 2020

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

1. Loknarayan Patle, Aged about 46 years, S/o Late Shri Radheshyam Patle, Occupation Divisional Account Officer Grade-I posted as Executive Engineer PWD (B/R) Division Harda (M.P.)
 2. Janardan Sharma, Aged about 52 years, S/o Shri B.S. Sharma Occupation, Sr. DAR, Posted as SS Division CMU Bhopal (M.P.)
 3. Chandra Prakash Mishra, aged about 47 years, S/o Shri M.P. Mishra Occupation DAO-II posted as Executive Engineer PWD E/M Division Bhopal (M.P.)
 4. Mukesh Kumar, Aged about 42 years, S/o Shri Rameshwar Occupation DAO-I, Posted as Executive Engineer Bhopal GAS Rahat Division CPA-II Bhopal (M.P.)
 5. Pradeep Singh Bist, Aged about 32 years, S/o Shri Anand Singh Bist, Occupation, DA posted as Executive Engineer PWD E/M Division No.2 Bhopal (M.P.)
- Applicants**
- (By Advocate –**Shri D.S. Raghuwanshi**)

V e r s u s

1. The Comptroller and Auditor General of India, Pocket-9 Pandit Deen Dayal Upadhyaya Marg Near Mata Sundari Railway College New Delhi-110002
 2. The Principal Accountant General (A&E)-I M.P. Bhopal Branch 53 Arera Hills Hoshangabad Road, Bhopal 462011
 3. The Sr. Deputy Accountant General PAG 53 Arera Hills Hoshangabad Road Bhopal (M.P.)
- Respondents**
- (By Advocate –**Shri J.P. Saxena**)

O R D E R (Oral)**By Ramesh Singh Thakur, JM:-**

Through this Original Application the applicants have challenged the action of the respondents whereby the applicants have been transferred vide order dated 05.06.2020 (Annexure A/1).

2. The main ground of challenging the impugned action of the respondents is that applicants have given 5 options as per policy of transfer. But the respondents have not considered their options and they have been transferred to other places. The other main ground put forth by the applicants are that due to COVID-19 the special circumstances has arisen and the order passed by the respondents is against the principle of natural justice.

3. At this stage, the counsel for the applicants submits that the Hon'ble High Court has passed the order after looking into the circumstances of COVID-19 but the order passed by Hon'ble High Court has not been annexed with this O.A. Learned counsel for the applicant further submits that he will make the fresh detailed representation



to the respondents and respondents may be directed to decide the representation and decide the issue raised in the fresh detailed representation.

4. We are of the view that the submission made by the counsel for the applicant is genuine and the natural justice would be met if the respondents are directed to decide the representation in a time bound manner.

5. Resultantly, at the admission stage itself, the applicant is granted liberty to file the detailed representation within one week from today and respondents shall decide their representation within three weeks thereafter.

6. With these observations this O.A. is finally disposed of. Respondents shall not take any coercive action against the applicants in the meanwhile.

(Naini Jayaseelan)
Administrative Member

(Ramesh Singh Thakur)
Judicial Member

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