

**ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/021/686/2020

HYDERABAD, this the 28th day of October, 2020



Hon'ble Mr. Ashish Kalia, Judl. Member

Sri R. Ramesh Babu,
S/o. R. Appa Rao,
Aged about 48 years,
JE (QS&C), (Group-B) Non Gazetted,
O/o. Commander Works Engineer (CWE),
Air force, Secunderabad.

...Applicant

(By Advocate : Sri. Krishna Devan)

Vs.

1. Union of India rep. by
Director General, Military Engineering Service (MES),
Engineering in Chief, Kashmiri House,
New Delhi – 1.
2. The Chief Engineer, Head Quarters,
Southern Command,
Pune - State of Maharastra.
3. The Chief Engineer R&D,
Military Engineering Service, Picket,
Secunderabad – 500 003.
4. The Commander Works Engineer, (AF),
PO Bowenpally, Secunderabad -11.
5. The Garrison Engineer,
Military College of Electrical Mechanical Engineer,
Secunderabad.

....Respondents

(By Advocate : Smt. L. Pranathi Reddy, Addl. CGSC)

ORAL ORDER**(As per Hon'ble Mr. Ashish Kalia, Judicial Member)****Through Video Conferencing:**

The applicant has filed the OA seeking to set aside the impugned proceedings passed in respect of the applicant (at Sl.6, page 2 of the impugned order) and direct the respondents to allow the applicant in the O/o. 4th Respondent until the completion of tenure as per policy of the Directorate (1st Respondent).

2. The brief facts of the case are that the applicant was appointed as Junior Engineer (Non-Gazetted) (Gr-B) in the year 1998. While working as such, he was transferred to Minnie Bay Portblair, Andaman and Nicobar Island and on completion of tenure of 2 years, he was repatriated to Hyderabad Unit vide order dated 14-6-2018 of 2nd Respondent. Accordingly, the applicant has joined the post on 05-7-2018 in the O/o. 4th Respondent, which is a sensitive post. Thereafter, he has been transferred from CWE (AF), Secunderabad to GE MCEME, Secunderabad. The grievance of the applicant is that he has been transferred in violation of the transfer policy, which lays down a rule of three years retention in a particular post. The respondents have transferred five people by impugned transfer order dated 12th September, 2020. But on non-joining of some of the transferees, the applicant's name was added in the transferred list. The grievance of the applicant starts from the impugned order itself. He has approached this Tribunal for redressal of the same.

3. Heard Sri. Krishna Devan, learned counsel for the applicant and Smt. L. Pranathi Reddy, learned Standing Counsel, who put appearance on behalf of the respondents. Smt. Pranathi Reddy has argued the matter and tried to impress upon the Tribunal that there is nothing wrong in this and it is a routine transfer.



4. After hearing the learned counsel on both sides, I am of the view that the applicant may make a detailed representation to the Respondent No.2, by putting forth his grievance in terms of the policy guidelines, within a period of one week from the date of receipt of this order. Thereafter, the respondents may dispose of the same within a period of two weeks from the date of receipt of such representation from the applicant. Till then, the applicant may be allowed to continue at the present place of posting. In case any grievance still subsists, the applicant is at liberty to approach this Tribunal once again.

5. With the above observation, the OA is disposed of at the admission stage. No order as to costs.

(ASHISH KALIA)
JUDICIAL MEMBER

/al/