

Through Video Conferencing**CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR****Original Application No.200/393/2020**

Jabalpur, this Friday, the 07th day of August, 2020

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

Sunil Kumar Jain, S/o Shri Veer Chand Jain, aged about 55 years, Occupation – DGM (Tech), NHAI PIU Jabalpur, R/o 14/239, Near Ghadi Chowk, Vijaya Nagar, Jabalpur, M.P. 482001
-Applicant

(By Advocate – Shri Anvesh Shrivastava)

V e r s u s

1. Union of India through its Secretary, Ministry of Road Transport & Highways, Parivahan Bhawan, Parliament Street, New Delhi – 110001.
2. National Highways Authority of India through its Chairman, G-5&6, Sector 10, Dwarka Delhi – 110075.
3. Chief General Manager (HR/Admin-II), National Highways Authority of India, G-5&6, Sector 10, Dwarka, Delhi – 110075.
4. Deputy General Manager (HR/Admin-II), National Highways Authority of India, G-5&6, Sector 10, Dwarka, Delhi – 110075
-Respondents

(By Advocate – Shri D.S. Baghel for respondent No.1)

O R D E R

By Ramesh Singh Thakur, JM.

This Original Application has been filed by the applicant against the order of transfer dated 29.06.2020 (Annexure A-1) passed by respondent No.4, qua

the applicant, whereby the applicant has been transferred from PIU-Jabalpur to RO Guwahati.

2. The applicant has challenged the impugned order on the ground that the order passed by the respondent authorities is against the transfer policy. It has been submitted that as per Transfer Policy dated 12.04.2013 (Annexure A-3), the duration at a particular place has been prescribed as five years, whereas the applicant has only completed two years at Jabalpur. The applicant has also submitted that his wife has recently undergone surgery at Jabalpur and has been advised to rest. Further, daughter of the applicant is studying in Class 12th and relocating her during the pandemic would be difficult for the applicant.

3. Learned counsel for the applicant submits that the applicant has submitted his representation on 01.07.2020 (Annexure A-4) followed by another representation dated 02.07.2020 (Annexure A-6), which have not been decided till date. At this stage, learned counsel for the applicant submits that the applicant will be satisfied if the respondents are directed to consider and decide his representations (Annexure A-4 & A-6) in a time-bound manner and till such time the decision is taken, the applicant may not be relieved from his present place of posting.



4. We have perused the documents annexed with the pleadings and have also gone through the grounds taken by the applicant. We feel that ends of justice would be met if the competent authority of the respondent department is directed to decide Annexure A-4 & A-6 representations in a time bound manner.



5. Accordingly, without going into the merits of the case, we direct the competent authority of the respondent department to consider and decide applicant's representation dated 01.07.2020 (Annexure A-4) coupled with Annexure A-6 dated 02.07.2020, within a period of three weeks from the date of receipt of copy of this order. Needless to say that the competent authority shall pass a reasoned and speaking order and till such time the representation is decided, the applicant shall not be disturbed from the present place of posting.

6. With these observations, this Original Application is disposed of at the admission stage itself. No costs.

(Naini Jayaseelan)
Administrative Member
am/-

(Ramesh Singh Thakur)
Judicial Member