

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Original Application No.200/00505/2020

Jabalpur, this Tuesday, the 29th day of September, 2020

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



Dr. Viraj P. Narnaware S/o Shri Prahlad Narnaware,
 Aged about 58 years, Senior Specialist Posted at
 Vehicle Factory Jabalpur Hospital, Jabalpur
 R/o "Suman" A/9 HIG Mhada Colony Sugat
 Nagar Near Sugat Nagar Buddha Vihar
 SO Jaripatka Nagpur District Nagpur
 Maharashtra 440014

-Applicant

(By Advocate –**Shri Siddharth Singh**)

V e r s u s

1. Union of India, Through Secretary,
 Ministry of Defence South Block,
 New Delhi 110001

2. Ordnance Factory Board,
 Through Secretary, 10A Shaheed
 Khudiram Bose Road
 Kolkata 700001

3. The Director Health Services,
 Ordnance Factory Board, 10A
 Shaheed Khudiram Bose Road. Kolkata 700001

4. General Manager,
 VFJ Hospital Jabalpur District
 Jabalpur MP 482009

- **Respondents**

(By Advocate –**Shri S.P. Singh**)

O R D E R (Oral)

By Ramesh Singh Thakur, JM:-

This Original Application has been filed by the applicant against the transfer order dated 27.08.2020 (Annexure A/1) whereby by the applicant has been transferred from Sr. SPL VFJ Jabalpur to MO I/C OFC Kanpur.



2. The main ground for challenging the transfer order is that the applicant is suffering from COVID-19 infection which is clear as per Annexure A/7 at Page 24. It has been submitted by the counsel for the applicant that the impugned order is without jurisdiction and same has been passed without signature or consent of the competent authority.

3. Learned counsel for the applicant has invited our attention to Page 15 of the paper book whereby it has been specifically mentioned that all transfer/posting orders of IOFHS Officers shall be issued with the approval of DGOF and Chairman, OFB who shall be the competent authority in this regard.

4. At this stage learned counsel for the applicant seeks permission to file comprehensive representation to the competent authority regarding his grievances within one week, who may be directed to consider and decide the said representation in a time bound manner.



5. Shri S.P. Singh, learned Senior Central Govt. Standing counsel appears and submits that he has no objection if this O.A. is disposed of in above terms.

6. We have perused the transfer order dated 27.08.2020 (Annexure A/1) wherein the said transfer order has been passed by officiating DHS for DGOF & Chairman.

7. We have considered the matter and we are of the view that the natural justice will be met if the applicant is permitted to file comprehensive representation to the competent authority of the respondents, who shall decide the said comprehensive representation of the applicant in a time bound manner.

8. Resultantly, applicant is permitted to file comprehensive representation to the competent authority

of the respondents within one week from today and thereafter the competent authority is directed to decide the said comprehensive representation sympathetically as the applicant himself is suffering from COVID-19 infection, within a period of 45 days. In the meanwhile, the applicant shall not be relieved from the present place of posting i.e. VFJ Jabalpur.



9. Needless to say that the respondents shall pass the reasoned and speaking order on all the contentions raised in comprehensive representation of the applicant.

10. With these observations, this Original Application is disposed of at admission stage itself.

(Naini Jayaseelan)
Administrative Member

(Ramesh Singh Thakur)
Judicial Member

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