

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Original Application No.200/00610/2020

Jabalpur, this Friday, the 20th day of November, 2020

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



Prashant Goswami, S/o Kishore Giri Goswami, aged about 34 years, Occupation-Engineering Assistant, Door Darshan Kendra (D.D.Kendra), Indore (MP) **-Applicant**

(By Advocate – **Shri Dinesh Upadhyay**)

V e r s u s

1. Prasar Bharti Broadcasting Corporation India,
(Indian Public Service Broadcaster), Prasar Bharti
Secretariate, IInd Floor, P.T.I. Building, Copernicus Marg
New Delhi-110001
Email: adghorb@gmail.com

2. Additional Director General (E(WZ), Prasar Bharti
(Indian Public Service Broadcaster), All India Radio and Door
Darshan, A.S.F. Building, Worly Mumbai-400020
Email: cewz@gmail.com

3. Prasar Bharti, Door Darshan Kendra Indore, Navlakha
A.B.Road, Indore, District, Indore (MP) 452001
Email: ddindore@yahoo.com **- Respondents**

(By Advocate – **Shri S.P.Singh**)

O R D E R(ORAL)

By Ramesh Singh Thakur, JM:-

This Original Application has been filed against the order dated 04.08.2020 passed by respondent No.3 whereby the applicant has been transferred from DDK Indore to DDK

Rajkot and subsequently further transferred from DDK Rajkot to DDK Mumbai.



2. From the pleadings the case of the applicant is that the applicant is working at DDK Indore on the post of Engineering Assistant. The respondent No.3 issued transfer order dated 11.03.2020 whereby the applicant has been transferred from DDK Indore to DDK Rajkot vide Annexure A-1. The respondents issued a transfer policy of the department dated 15.07.2014 regarding transfer and posting of the employee as per clause 8.4. The copy of transfer policy is annexed as Annexure A-2. As per transfer policy there is a procedure for making a prayer for changing of transfer posting therefore after receiving the transfer order applicant made prayer for changing the posting order alongwith the certificate of the person with disability as father of the applicant are suffering from disability. Copy of the applications and certificate is filed as Annexure A-4 & A-5.

3. The contention of the applicant is that without considering the said representation and the certificate from medical board, the respondent department has further

transferred the applicant on 04.08.2020 to DDK Mumbai. The applicant has been relieved on the same date.

4. The contention of the applicant is that the applicant had applied as per transfer policy of the department on 05.07.2014 vide clause 8.4 of the transfer policy (Annexure A-2) and without any decision on this representation, the respondents has further transferred the applicant to DDK Mumbai on 04.08.2020 which is totally in contravention of the policy itself.



5. At this stage counsel for the applicant submits that the applicant will be satisfied if the respondents are directed to decide the representation Annexure A-4, whereby the applicant have made the representation as per clause 8.4 of the transfer policy on the medical ground, in a time bound manner.

6. We have considered the matter and we are of the view that natural justice will be met if the respondents are directed to decide the representation dated 13.03.2020 (Annexure A-4).

7. Resultantly, the competent authority of the respondents are directed to decide the representation dated 13.03.2020

(Annexure A-4), if not already decided within a period of four weeks from the date of receipt of a certified copy of this order.

8. Needless to say that the final order should be reasoned and speaking one and the respondents shall also met with all the contentions raised in the representation before deciding the matter finally.



9. With these observations the Original Application is finally disposed of at the admission stage itself.

10. In the meanwhile, the applicant shall be allowed to remain at DDK Indore.

11. The applicant shall make available copy of Original Application as well as copy of the order of this Tribunal to the competent authority of the respondents.

(Naini Jayaseelan)
Administrative Member
rn

(Ramesh Singh Thakur)
Judicial Member