



**Central Administrative Tribunal
Jammu Bench, Jammu**

Hearing through video conferencing

O.A. No.62/360/2020

Monday, this the 11th day of August, 2020

Hon'ble Mr. Rakesh Sagar Jain, Member (J)
Hon'ble Mr. Pradeep Kumar, Member (A)

Mushtaq Ahmad Rather (Aged about 59 years 6 months) S/o Haji
Abdul Gani Rather R/o Maharajpora bypass Batamaloo Srinagar.

.....Applicant

(Mr. Hilal Ahmad Wani, Advocate)

Versus

1. Union Territory of J&K through Commissioner/Secretary to Government Home Department, Civil Secretariat, Srinagar/Jammu.
2. Director General of Police J&K Srinagar/Jammu.
3. Superintendent of Police District Kulgam Anantnag (Kashmir).

...Respondents

(Mr. Amit Gupta, AAG)

O R D E R (ORAL)

Rakesh Sagar Jain, Member (J):

1. The present OA has been filed seeking the following relief(s):-
 - (i) Direct the respondents to strictly adhere on the circular issued vide order No. 643 of 2013 dated 06.03.2013 in

order to transfer/adjust the applicant near his native/home district.

- (ii) To direct the respondents to take decision on the communication issued by the Dy. Superintendent of Police DAR Kulgam vide No. DAR/Permission/2020/1625 dated 29.05.2020 in favour of the applicant for his transfer as per the policy in vogue.

2. Admit.
3. Issue notice. Sh. Amit Gupta, AAG, appears and accepts notice on behalf of the respondents. He seeks time to file reply affidavit.
4. However, during the arguments, it transpired that since the applicant is retiring in the month of December, he filed representation for his posting in terms of policy decision of the respondent department vide Circular No. 643 of 2013 dated 06.03.2013. But this representation is still pending at the hands of respondent No. 2. Hence, we deem it fit to direct the respondents, at this stage, to consider and decide the representation of the applicant within three weeks from today by passing a reasoned and speaking order. While considering his representation respondents must take into consideration the circular placed on record by the applicant. The decision so arrived at must be communicated to the applicant.
5. OA stands disposed of with the above directions. No costs.

(Pradeep Kumar)
Member (A)

(Rakesh Sagar Jain)
Member(J)

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