

Item No. 7



**Central Administrative Tribunal
Principal Bench, New Delhi**

O.A. No.1303/2021

This the 14th July, 2021

(Through Video Conferencing)

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. A. K. Bishnoi, Member (A)**

MES No. 314191- Harish Kumar Arora,
S/o Late Sh. Om Parkash Arora,
Age about 58 years,
Presently working as Deputy Director (Contracts)
Re-designated as Deputy Commander Works Engineer,
O/o Commander Works Engineer,
Dehradun, Uttrakhand- 248003

....Applicant

(Through: Shri D. R. Sharma)

Vs.

1. Union of India,
Through the Secretary,
Ministry of Defence,
South Block, New Delhi- 110011.
2. Engineer in-Chief's Branch,
Directorate General (Personnel),
Military Engineer Services,
Kashmir House,
Rajaji Marg,
New Delhi- 110011

.. Respondents

(By Advocate : Shri Sanjeev Yadav)

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ORDER (Oral)**Justice L. Narasimha Reddy:**

The applicant is working as Executive Engineer in the Military Engineering Service (MES). As of now, he is working at a station at Dehradun. Through order dated 29.06.2021, he was transferred to a station at Udhampur. This OA is filed challenging the order of transfer insofar as it concerns the applicant.

2. The applicant contends that he is yet to complete his three years term at Dehradun and since he is scheduled to retire on 31.08.2021, he is entitled to be given the last leg posting of his choice. He contends that though the representation was made in this behalf, the respondents did not consider it.

3. Today, we heard Shri D. R. Sharma, learned counsel for the applicant and Shri Sanjeev Yadav, learned counsel for the respondents.

4. The applicant pleads two grounds. The 1st is that he is yet to complete three years in Dehradun and the 2nd is his last leg posting is to be at a place of his choice. These are the issues which need to be examined with reference to

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the transfer guidelines on the one hand and exigency of service on the other hand.

5. We, therefore, dispose of the OA directing the respondents to pass orders on the representation made by the applicant, by 16.07.2021.

(A. K. Bishnoi)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/lg/pj/ns