



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

O.A. No.1585 of 2018

This the 20th day of July, 2021

(Through Video Conferencing)

Hon'ble Mr. R.N. Singh, Member (J)
Hon'ble Ms. Aradhana Johri, Member (A)

Ajay Shankar Dubey
(Token No.055, Rank-CIV/IP)
S/o Shri Hari Shankar Dubey
R/o Vill. Para Brahman
Post: Kuchera, Thana: Inayatnagar
Distt: Faizabad, Uttar Pradesh
Group D, Aged.29. ..Applicant

(through Advocate: Ms. Sangeeta Tomar)

VERSUS

1. Union of India
Through Secretary of Defence
Room No.101 A, South Block
DHQ PO, New Delhi – 110 011.
2. Chief of Army Staff
IHQ of Mod (Army), Room No.195
South Block, DHQ PO, New Delhi -11.
3. Addl. Dte Gen of Manpower/MP-4 (Civ)(b)
Adjutant General's Branch
IHQ of MOD (Army)
West Block-III, R.K. Puram
New Delhi – 110 066.
4. Officer in charge
56 Inf DOU
Pin -909056
C/o 99 APO. ... Respondents

(through Advocate:Shri Hanu Bhaskar)

ORDER (Oral)**Hon'ble Mr. R. N. Singh, Member (J):**

The present OA has been filed by the applicant praying therein for the following relief(s) :-

“A. Direct the respondents to grant posting on compassionate ground to the applicant to any of three stations of applicants choice viz. Faizabad; Allahabad; Lucknow;

B. Any other order as may be deemed fit and proper in the facts and circumstances of the case.”

2. Pursuant to notice from this Tribunal, the respondents have filed their counter reply and the applicant has also filed rejoinder.

3. When the matter is taken up today, at the outset, Shri Hanu Bhaskar, learned counsel for respondents submits that the applicant's request for his posting at any of the three choices given by him could not be considered by the respondents in as much as the applicant has requested for his posting at any unit out of three units of the respondents and not at any of the three stations. To such a statement of Shri Bhaskar, Ms. Tomar, learned counsel appearing for the applicant, submits that the applicant has requested for posting at a preferred unit inadvertently and the same has been got corrected by the applicant subsequently. She invites our attention to a letter dated February, 2017 (Annexure A-7) wherein Station Commander



of the applicant has requested the Additional Directorate General of Manpower for posting of the applicant on compassionate ground at any of the three stations i.e. (a) Lucknow, (b) Faizabad and (c) Allahabad.

4. Learned counsel for respondents submits that the respondents are still ready to consider the applicant's request for compassionate posting at any of the above said three stations i.e. (i) Lucknow, (ii) Faizabad and (iii) Allahabad.

5. In view of the aforesaid statement of Shri Bhaskar, learned counsel appearing for the respondents, as referred to hereinabove, the present OA is disposed of with a direction to the respondents to consider the applicant's posting on compassionate ground on any of the requested stations i.e. (i) Lucknow, (ii) Faizabad and (iii) Allahabad keeping in view the aforesaid recommendations as well i.e. February, 2017 and pass a reasoned and speaking order as expeditiously as possible and in any case within six weeks of receipt of a copy of this Order.

6. The OA is disposed of in the aforesaid terms. No costs.

(Aradhana Johri)
Member (A)

(R.N. Singh)
Member (J)