

**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA**

O.A/350/1169/2021

Date of Order: 11.08.2021

Coram: Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. (Ms.) Nandita Chatterjee, Administrative Member

Rajarshi Dey, S/o Mrinmoy Dey, aged about 34 years, working for gain as Works Manager under the immediate control of the General Manager, Ordnance Factory, Badmal and under the overall control of the Chairman, Ordnance Factory Board, Kolkata at present residing at Qtr. No. 42068, Ordnance Factory, Badmal Estate, Bolangir, Odisha, Pin - 767070, permanent house being No. P/9, Road No. 1A, Basant Vihar, Ranchi 834002.



...Applicant

...Vs

1. Union of India service through the Secretary, Ministry of Defence, South Block, New Delhi - 110001.
2. Director General, Ordnance Factories & Chairman, Ordnance Factory Board, 10A, S. K. Bose Road, Kolkata - 700001.
3. Secretary, Ordnance Factory Board, Section A/G, 10A, S. K. Bose Road, Kolkata 700001.

...Respondents

For The Applicant(s): Mr. I. Siddique, counsel
Mr. C. Sinha, counsel
Ms. G. Roy, counsel

For The Respondent(s): Mr. S. Paul, counsel

O R D E R (O R A L)

Per: Ms. Bidisha Banerjee, Member (J):

Heard 1d. counsel for both sides.

2. This O.A has been preferred to seek the following relief:

- (a) To direct the respondents to consider the case of the applicant for posting/transfer at a soft station in factories/units in and around Kolkata after completion of tenure at hard station in light of Para 4 & 5 of the Policy of deployment of Group A officers in Ordnance Factories/ Units as circulated vide letter dated 02.11.2016 forthwith.
- (b) Any other order or orders as the Hon'ble Tribunal deems fit and proper.

3. The facts of the case as submitted by Ld. Counsel for the applicant are that, the applicant has been working in a hard station at Ordnance Factory, Badmal in the district of Bolangir, Odisha, from 12.10.2015 for a period of more than 5 years 8 months and has requested for transfer/posting at a soft station in factories/units in and around, Kolkata vide his representations in terms of Para 4 & 5 of the Policy of deployment of Group A officers in Ordnance Factories / Units as circulated vide letter dated 02.11.2016 and also citing his family problem but the same has not been considered as yet by the respondent authorities. Being aggrieved, he has preferred approached this Tribunal seeking direction upon the respondents to redress his grievance.

4. At hearing, Ld. Counsel for the applicant would submit that the applicant would be satisfied if a direction is issued to the competent authority to consider his pending representations at Annexure A-6 & A-7 collectively in the light of Annexure A-8, particularly, Para 4 & 5 of the Policy of deployment of Group A officers in Ordnance Factories / Units as circulated vide letter dated 02.11.2016, in a time bound manner.

5. Ld. Counsel for the respondents does not have any objection if such direction is issued to consider in accordance with law.

6. Having noted that no adverse order is under challenge and seeking identical relief, the applicant has already preferred a representation to the competent Respondent authority which is yet to be disposed of. As no fruitful purpose would be served by calling for a reply in this matter, unless the representation is decided by the competent authority, we dispose of the OA with a direction upon the Respondent no. 2 or any other competent respondent authority to consider the representations at Annexure A-6 & A-7 collectively in the light of

Annexure A-8, particularly, Para 4 & 5 of the Policy of deployment of Group A officers in Ordnance Factories / Units , decide the claim of the applicant and issue a reasoned and speaking order in accordance with law within a period of 2 months from the date of receipt of copy of this order. In the event the applicant is found entitled to the relief as prayed for, an appropriate order in accordance with law be issued within the said period.

7. It is made clear that we have not entered into the merit of this matter and, therefore, all points are kept open for consideration
8. The OA accordingly stands disposed of. No costs.



(Nandita Chatterjee)
Member (A)

(Bidisha Banerjee)
Member (J)

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