

**CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH**

Original Application No. 046/00105/2020

Date of Order: This, the 7<sup>th</sup> April 2021

**THE HON'BLE SMT. MANJULA DAS, MEMBER (J)**

**THE HON'BLE MR. NEKKHOMANG NEIHSIAL, MEMBER (A)**



Sri Raj Kumar  
 Son of Banola Prasad Gaur  
 Resident of SIB Office Complex  
 Near TCP Gate, Kohima  
 Nagaland – 7907001.

**... Applicant**

- Versus -

1. The Union of India  
 Represented by the Secretary  
 Government of India  
 Ministry of Home Affairs  
 North Block, Central Secretariat  
 New Delhi – 110001.
2. The Director  
 Intelligence Bureau  
 Ministry of Home Affairs  
 Government of India  
 New Delhi – 110001.
3. The Joint Director/E  
 Intelligence Bureau  
 Ministry of Home Affairs  
 Government of India  
 New Delhi – 110001.

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4. The Joint Director  
Subsidiary Intelligence Bureau  
Kohima, Nagaland, Pin – 797001.
5. Sri Arvind Kumar  
Joint Director  
Subsidiary Intelligence Bureau  
Kohima, Nagaland, Pin – 797001.

**...Respondents.**

For the Applicant : Sri U.K. Nair, Sr. counsel &  
Ms. N. Shyamal  
For the Respondents : Sri A. Kundu, Addl. CGSC

**ORDER (ORAL)**

**MANJULA DAS, MEMBER (J):-**



In this O.A., applicant is asking for the following reliefs:-

- “8.1 To direct the Respondent authorities to place in seal cover the copies of the Memorandum dated 26.09.2019, order dated 13.09.2019, Order dated 24.01.2020, order dated 17.03.2020 and order dated 23.03.2020.
- 8.2 To set aside and quash the impugned order dated 24.01.2020 in so far as it concerns the applicant.
- 8.3 To set aside and quash the posting order issued in respect of the applicant on 13.09.2019 to Civt. Meluri along with the consequential release orders dated 17.03.2020 and 23.03.2020.
- 8.4 To direct the respondent authorities to consider the case of the applicant for transfer in terms of his request as made

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vide Annexure A/2 representation dated 30.09.2019.

8.5 To direct the Respondent authorities to allow the applicant to continue at Kohima till his prayer for transfer out of Nagaland in concerned in terms of prayer no. 8.4 above.

8.6 Cost of the application."

2. The respondent Nos. 1 to 4 submitted their written statement on 12<sup>th</sup> August 2020 and respondent No. 5 submitted his written statement on 04.03.2021. They have stated that there is no requirement of Assistant Central Officer/Grade-II in the UP set-up. Sri A. Kundu, learned Addl. CGSC appearing for respondent Nos. 1 to 4 by referring para 7 of the written statement submitted that one of the choice place of posting of the applicant was SIB, Dehradun, which is not under UP set-up but it is under Uttarakhand. The applicant was asked to submit 3 options of places other than UP set-up due to non-requirement of Assistant Central Officer/Grade-II at UP set-up.

3. In view of the above, with the consent of learned counsel on both sides, we dispose the O.A. and



direct the respondent authorities to consider the case of the applicant for posting him in any of the three options to be submitted by the applicant either in the post of Assistant Central Officer/Grade-II or equivalent, as and when vacancies arises, on top priority basis.

4. No order as to costs.



**(NEKKHOMANG NEIHSIAL)**  
**MEMBER (A)**

**(MANJULA DAS)**  
**MEMBER (J)**

**PB**

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