

**CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH LUCKNOW  
(HEARING THROUGH VIDEO CONFERENCING)**

**Sl. No. 3**

**M.P. No. 1073/2020- Urgent listing application**

**O.A. No. 332/00259/2020**

**Dated: 28.10.2020**

**HON'BLE MR. A. MUKHOPADHAYA, MEMBER (A)**

Abhijat Srivastava, aged about 34 years, son of Sri Ajay Prakash, r/o 53-B, Karbala, District Prayagraj.

..... Applicant

By Advocate: Shri Prince Lenin

Versus

1. Union of India through Secretary Ministry of Finance, Department of Revenue, New Delhi.
2. Secretary, Ministry of Personal & Training and Public Grievance, Department of Administrative Reforms & Public Grievance, New Delhi.
3. Chairman, Central Board of Indirect Taxes and Customs.
4. Chief Commissioner, Central GST & Central Excise, Lucknow Zone, GST Bhawan, 7A, Ashok Marg, Lucknow.
5. Sri Mahendra Ranga, The Principal Commissioner, Central GST & Central Excise, Lucknow Commissionerate, GST Bhawan, 7A, Ashok Marg, Lucknow.

6. Assistant Commissioner (Inquiry Officer) Office of the Principal Commissioner, Central GST & Central Excise, Lucknow Commissionerate, GST Bhawan, 7A, Ashok Marg, Lucknow.

..... Respondents

By Advocate: Shri Shatrohan Lal

**ORDER (ORAL)**

Miscellaneous Petition No. 1073/2020 for urgent hearing of OA No. 259/2020 was allowed and OA NO. 259/2020 was taken up for hearing today itself.

At the very outset, learned counsel for the applicant Shri Prince Lenin submitted that issues related to wearing uniform and having to give a Guard of Honour to the senior officers of the Department are the less than bonafide reasons behind the transfer of the applicant from Lucknow to Shajahanpur Range. The applicant had given several representations to the respondents citing substantive medical reasons which are relevant to his plea of cancelling the said transfer order but these remained to be responded to till date. Counsel stated that he would be satisfied if he is given permission to make a fresh representation before the respondents detailing these medical reasons for cancellation/reversal of his transfer order and the respondents are directed to dispose of the same in a time bound manner.

2. On the other hand, learned counsel for the respondents, Shri Shatrohan Lal submitted that the applicant had not given any valid ground for staying or reversing the transfer order in question in his O.A.

3. Looking to the limited prayer made by the learned counsel for the applicant and bearing in mind only the balance of convenience without going into the merits of the case, I deem it appropriate to dispose of this matter at the admission stage itself by directing the applicant to make a fresh representation detailing the medical reasons which are relevant to his plea for cancellation/reversal of the transfer order in question along with all supporting documents within a period of one week after receipt of a certified copy of this order. On receipt of such a representation, if made within the stipulated period, the respondent No. 4 i.e. Chief Commissioner, Central GST & Central Excise, Lucknow Zone, Lucknow, shall consider and dispose of the same by way of a reasoned and speaking order as per law within a further period of three weeks, after affording the applicant an opportunity of a personal hearing. Till such time the representation, if received as described above, is disposed of, the operation of the impugned transfer order dated 30.09.2020 shall be stayed.

4. With the above directions, the instant O.A stands disposed of. There shall be no order as to costs.

(A.MUKHOPADHAYA)

JNS

Member (A)