

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

Original Application No. 332/00246/2021

Date of Order: This, the 26<sup>th</sup> day of August, 2021

**HON'BLE MS. JASMINE AHMED, MEMBER (J)**

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

Vivek Bajpai, aged about 45 years, Son of P.D. Bajpai,  
Resident of 561/289-A, Sindhu Nagar, Krishna Nagar Kanpur  
Road, Sesebeer Baba Madir, Lucknow.

... Applicant



By Advocate: Ms. Garima Dixit.

- Versus -

1. Council for Scientific and Industrial Research, Rafi Marg,  
New Delhi through its Director General.
2. CSIR-Central Drug Research Institute, Sector 10,  
Jankipuram Extension, Sitapur Road, Lucknow-226031,  
through its Director.
3. Joint Secretary, Council for Scientific and Industrial  
Research, Rafi Marg, New Delhi.
4. Deputy Secretary, E-I Section, Council for Scientific and  
Industrial Research, Rafi Marg, New Delhi.

5. Transfer Posting Committee, CSIR through its Chairman.

.....Respondents

By Advocate: Shri A.K. Chaturvedi, Senior Advocate assisted by  
Shri Dharmendra Dixit.

**O R D E R (ORAL)**

**By HON'BLE MS. JASMINE AHMED, MEMBER (J).**



At the outset, learned counsel for the applicant states that the applicant has been transferred from Lucknow to CSIR HQ, New Delhi vide order dated 30.03.2021 but due to ongoing COVID-19 pandemic, the aforesaid transfer order dated 30.03.2021 was kept in abeyance and now again vide order dated 03.08.2021 the transfer order was revived and the applicant has been ordered to join at new place of posting. It is also contended by learned counsel for the applicant that the applicant has been relieved on 19.08.2021 though no specific time has been given to the applicant to join at new place of posting. As the applicant has been transferred from Lucknow to CSIR HQ, New Delhi as per rule in vogue 15 days time are required for necessary

arrangements to join at new place of posting. Learned counsel for the applicant submits that there is a representation addressed to the respondents dated 12.08.2021 which is said to be pending. On query, learned counsel states that as the applicant has yet to join, she would be happy and satisfied if a direction is given to the respondents to consider and decide the representation of the applicant by passing a reasoned and speaking order within 15 days and thereafter the applicant may join at new place of posting or original place depends upon the outcome of the representation. It is also contended by the learned counsel for the applicant that till the representation is not decided, the respondents cannot force to the applicant to join at new place of posting.



2. Shri A.K. Chaturvedi, learned Senior Advocate assisted by Shri Dharmendra Dixit, is appearing on behalf of the respondents on getting advance notice.

3. Looking to the limited nature of the plea made by the learned counsel for the applicant, the respondents are directed to consider and dispose of the pending representation of the applicant dated 12.08.2021 by way of a

detailed reasoned and speaking order in accordance with law within 15 days from the date of receipt of a certified copy of this order under intimation to the applicant. Till the representation is decided, the applicant shall not be forced to join at the transferred place.

4. With the above direction, O.A. stands disposed of at the admission stage. It is made clear that we have not expressed any opinion on the merits of the case.

5. There will no order on costs.



**(A.MUKHOPADHAYA)**  
**MEMBER (A)**

**(MS. JASMINE AHMED)**  
**MEMBER (J)**

JNS