

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION NO. 1270 OF 2003
ALLAHABAD THIS THE 23RD DAY OF OCTOBER, 2003

HON'BLE MR. A. K. BHATNAGAR, MEMBER-J

Dr. Mahesh Chandra Sharma,
S/o Late Kailashpati Sharma,
R/o 29, Magh Vihar,
Khandari,
District-Agra.

.....Applicant

(By Advocate Sri S.S. Upadhyay)

Versus

1. Union of India,
through the Secretary,
Ministry of Health and Family Welfare,
Government of India,
Nirman Bhawan, New Delhi.
2. The Post Master General,
Agra Region, Agra,
Department of Posts, India.
3. Dr. Mrs. Manjula Dixit,
Deputy Director General (Medical),
North Region,
Chief PMG's Office Campus,
Lucknow.
4. Dr. Mrs. Leela Gupta,
presently posted at Medical Officer,
Postal Dispensary, Agra.

.....Respondents

(By Advocate Shri V.V. Mishra)

AN

ORDER

HON'BLE MR. A. .K. BHATNAGAR, MEMBER-A

By this O.A. filed under section 19 of Administrative Tribunals Act 1985, applicant has challenged the transfer order dated 28/29.08.2003 (Annexure A-1). By this order the applicant has been transferred to C.G.H.S. Nagpur, from Agra. He has prayed for quashing the impugned order dated 28/29.08.2003 and further sought a direction not to implement the impugned transfer order dated 28/29.08.2003 passed by respondents no.1 transferring the applicant from Agra to C.G.H.S. Nagpur.

2. Learned counsel for the applicant also submitted that the applicant filed a representation against the transfer order on 04.09.2003 which is still lying undecided and in which he has mentioned that the applicant was transferred to Agra on compassionate grounds. Learned counsel for the applicant further submitted that the applicant is still in Agra and he has not been relieved so far.

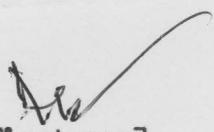
3. Learned counsel for the respondents, on the other hand, submitted that nowhere in the O.A. the applicant has averred that he has not been relieved.

4. After considering the submissions of the learned counsel for the parties, I am of the view that the interest of justice shall be better served if the representation dated 04.09.2003 sent to respondent no.1 is decided considering all the grounds giving therein within a specified period.



5. The O.A. is finally disposed of at the admission stage itself by giving a direction to respondent no.1 to decide the representation of the applicant by a reasoned and speaking order within two months from the date of receipt of a copy of this order. In the meanwhile the applicant shall not be relieved if he has not already been relieved till the disposal of the representation.

6. There shall be no order as to costs.



Member-J

/ Neelam/