

(Open Court)

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH, ALLAHABAD.

Allahabad this the 06th day of February, 2003.

Original Application No. 85 of 2003.

Hon'ble Mrs. Meera Chhibber, Member- J.

Musafir Singh s/o Late Sheodhani Singh  
R/o Vill. Bawari, Post- Banjaripur, Distt. Ghazipur.

.....Applicant

Counsel for the applicant :- Sri I.P. Singh  
Sri A.K. Malviya

V E R S U S

1. Union of India through the Secretary, M/o Textile, office of the Development Commissioner, New Delhi.
2. Assistant Director (P&G)(Handicrafts) Carpet Weaving Centre, Lucknow.
3. Regional Director (H), O/o DC(H), Lucknow Carpet Weaving Centre .
4. C.T.O Incharge ATC, Habinagar, Distt. Maldah, W.B.

.....Respondents

Counsel for the respondents :- Sri R.C. Joshi

O R D E R (oral)

8.4  
The grievance of the applicant in this O.A. that he was working as Chowkidar when he was transferred from Jaunpur to Maldah in Augaust, 1995. Being aggrieved, the applicant had filed O.A No. 1255/95 which was decided by this Tribunal on 13.12.1999 wherein the Tribunal had observed ".....It is, however, worth noting in the present case that the applicant is merely a Class IV employee and low paid employee. Therefore, transfer of the applicant from Jaunpur to Maldah, West Bengal would cause great hardship to the applicant and his family. But the impugned order cannot be quashed on this ground only because the

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transfer is an incidence of service. The respondents are, however, directed to reconsider the representation and case of the applicant and if possible, the applicant should be posted to neighbouring Distt. Ghazipur.....". It is submitted by the applicant's counsel that applicant gave number of representations as directed by the Tribunal but having lost all hopes by letter dated 12.07.2000, the applicant finally requested the authorities that in case it is not possible to post him in any neighbouring district of Jaunpur he may be allowed to retire voluntarily with all consequential benefits (annexure- 7) but till date respondents have not replied to the applicant thus he <sup>has been</sup> has forced to file the present O.A.

2. Learned counsel for the applicant further submitted that respondents be directed to reconsider his request for voluntary retirement and to pass the appropriate orders. He has also prayed for permission to make an application for compulsory retirement in proper form before the competent authority.

3. Since the grievance of the applicant is that the respondents are not disposing of his representation, this O.A is disposed of at the admission stage itself by giving direction to respondents to reconsider the request of applicant and pass appropriate orders in accordance with law within a period of three months from the date of receipt a copy of this order. Applicant is permitted to make a fresh application for compulsory retirement in proper form before the competent authority within a week from today.

4. There will be no order as to costs.

  
Member- J.