

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD.

OPEN COURT

ORIGINAL APPLICATION NO.259 OF 2007.  
ALLAHABAD THIS THE 16<sup>TH</sup> DAY OF MARCH, 2007.

HON'BLE MR. JUSTICE KHEM KARAN, V.C.

Kanti Prasad Gupta, son of Sri Deen Dayal Gupta,  
R/o P/2/2 Sarvatra Officer Enclave, Near Cantt. Board Office.  
Bareilly Cantt. U.P.

(By Advocate: Sri R.C. Pathak)

.....Applicant

Versus.

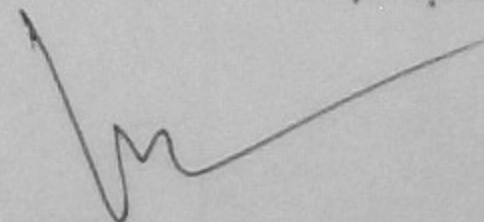
1. Union of India through the Defence Secretary, Ministry of Defence, Govt of India, South Block, D.H.Q. P.O. New Delhi-110011.
2. Engineer- in- Chief, Engineer in Chief Branch A.H.Q Kashmir House, Raja Marg, D.H.Q. , P.O. New Delhi-110011.
3. The Chief Engineer, Central Command, Lucknow-2.
4. The Chief Engineer, Bareilly Zone, Sarvatra Bhawan, Station Road, Bareilly Cantt. U.P.
5. The Commander Works Engineer, (CWE) MES Station Road, Bareilly Cantt. U.P.
6. The G.E. (East), Station Road, Bareilly Cantt. U.P.
7. The G.E. MES, Nimmu C/o 56 A.P.O.
8. Shri Pramod Kumar, A.E. (Civil), O/O G.E.M.E.S Nimmu C/o 56 A.P.O.

.....Respondents

ORDER

Heard Sri R.C. Pathak, learned counsel for the applicant on this O.A., which has been filed against the transfer order dated 2.3.2007, 9.2.2007 and 17.2.2007 (Annexures No. 1, 12 and 13 respectively) by which the applicant has been shifted from G.E. (East) Bareilly to AGE B/R Hempur. His grievance is that he is being unnecessarily disturbed in mid of session, just to accommodate another person namely Shri Pramod Kumar. It is said that his children are school going and are receiving education at Bareilly and in case, he is disturbed in mid of session, they are likely to suffer considerably. It has also been said that he has already given representation (Copy of which Annexure 14) to the Director General Personnel/ETB Military Engineer Services, Engineer-in Chiefs Branch integrated HQ of MOD (Army) New Delhi-110011 putting his grievance before him but no action has been taken so far. He has also alleged that he has not joined the post to which he has been transferred, by the order impugned in the O.A.

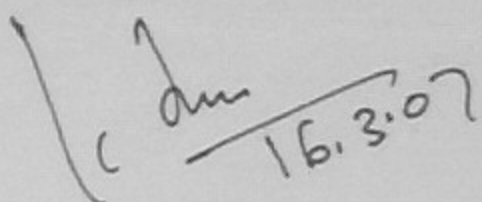
2. The Tribunal of the view that there is no point in keeping this O.A. here and calling for reply etc. and it would be just and proper to



finally dispose of this O.A. with a direction to the respondent No.2 to consider the representation of the applicant within a reasonable time as may be fixed by the Tribunal and pass a reasoned and speaking order. This may also be provided that in case, applicant has not been relieved from the present post then he may not be relieved till the orders are passed on his representation.

3. So this O.A. is finally disposed of with a direction to the respondents to consider and decide the representation dated 10.3.2007 (Annexure No.14) of the applicant by passing a reasoned and speaking order within a period of seven days from the a copy of this order together with the said representation is produced before him and till then not to relieve the applicant from the present post, if he has not already been relieved. No order as to costs.

4. Copy of the order be given to the applicant's counsel today.

  
Vice-Chairman

Manish/-