

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH : JODHPUR.

Date of Decision : 18.09.2002

O.A No. 250/2002.

B. M. Gulati, son of Shri Inderjeet Gulati, aged 54 years, Draftsman Grade II, office Garrison Engineer, Army, Suratgarh, R/o MES Colony, Suratgarh, District Shriganganagar.

... APPLICANT.

versus

1. Union of India through Secretary to Government of India, Ministry of Defence, Raksha Bhawan, New Delhi.
2. Garrison Engineer, MES Army, Suratgarh, District Shri Ganganagar.
3. Chief Engineer, Western Command, Chandimandir.

... RESPONDENTS.

Shri Vijay Mehta counsel for the applicant.

CORAM

Hon'ble Mr. Gopal Singh, Administrative Member.
Hon'ble Mr. J. K. Kaushik, Judicial Member.

: O R D E R :
(per Hon'ble Mr. Gopal Singh)

In this application filed under Section 19 of the Administrative Tribunals Act, 1985, applicant prays for quashing the orders dated 12.09.2002 and 14.09.2002 placed at Annexure A-1 and Annexure A-2, and for a direction to the respondents, not to relieve the applicant till completion of the academic session. Learned counsel for the applicant submits that initially the transfer orders were issued in the month of March 2002 but he was not relieved at that time to join his post at the transferred station. The orders have now been issued on 12.09.2002 (Annexure A-1) for reporting to the new station by 21.09.2002. The contention of the learned counsel is that this is a academic session

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and two childrens of the applicant are studying in the Central School at Suratgarh. He also states that the applicant is a heart patient and he has submitted a certificate from Parampita Shah Satnam Singh Ji General Hospital Gursar Modia, Distt. Sri Ganganagar (Raj.), in this regard.

2. It is also submitted that the applicant has submitted a representation against his transfer on 16.09.2002 (Annexure A-4). In the circumstances of the case, we consider it appropriate to dispose of this case by a direction to the respondents to consider the representation of the applicant within one month from the date of receipt of a copy of this order. Accordingly we pass the order as under :-

" The OA is allowed. The respondents are directed to consider the representation dated 16.09.2002 and dispose of the same by a speaking order within a period of one month from the date of receipt of a copy of this order. Till then, the applicant will be allowed to stay in his present post. "

J. K. KAUSHIK
(J. K. KAUSHIK)

MEMBER (J)

Gopal Singh
(GOPAL SINGH)

MEMBER (A)