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**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR**

Original Application Number 260/2007.

Date of Order : October 4, 2007.

G.R. Choudhary S/o Shri Binja Ram Ji, aged about 53 years, Resident of Plot No. 165, Village Digadi Kalan, Post Paota, Jodhpur, District Jodhpur, presently working on the post of Fire Master in 224, A.B.O.D., Pin 909224 C/o 56 A.P.O.

.....Applicant.

Versus

1. Union of India through the Secretary, Ministry of Defence, Raksha Bhawan, New Delhi.
2. A.O.C. Records, Pin 900 453, C/o 5 A.P.O.
3. Commandant, 224, A.B.O.D., Pin 909224 C/o 56 A.P.O.
4. Commandant, 19 F.A.D., Pin 909019 C/o 56 A.P.O.
5. Dhanna Ram Fire Master, C/o Administrative Officer, 224, A.B.O.D. Pin 909224 C/o 56 A.P.O.

.....Respondents.

Counsel for Applicant : Mr. S.K. Malik, Advocate.

CORAM :

HON'BLE MR. JUSTICE A.K. YOG, JUDICIAL MEMBER
HON'BLE MR. R.R. BHANDARI, ADMINISTRATIVE MEMBER

ORDER(Oral)
[PER JUSTICE A.K. YOG, JUDICIAL MEMBER]

The case taken up out of turn on mention on the ground of urgency.

Applicant, G.R. Choudhary, through this O.A. seeks to assail impugned order of 'Transfer' dated 28.9.2007 / Annex. A/1 to the O.A.

On coming to know of 'Transfer Proposal', the applicant submitted representation dated 2.7.2007/Annex.A/4 before Commandant 224, Advance Base Ordnance Depot, C/o 56 A.P.O. / Respondent No.3, primarily contending that temporary



'posting/attachment' of one Shri Dhanna Ram/Respondent No.4, deserves to be ignored while considering total period of stay at certain station.

This issue came up for consideration of the authorities as is evident from orders dated 13.6.2007 (Annex.A/3), Signal Message dated 6.7.2007 (Annex.A/5) and letter dated 3.9.2007 (Annex.A/6).

We are unable to find relevant figures / details of temporary 'attachment/postings' of the applicant and Shri Dhanna Ram/Respondent No. 5. Requisite details are neither in pleadings nor learned Counsel in a position to furnish.

This aspect becomes relevant and conspicuous when we find that the posting of the applicant at the station in question, though claimed to be since 1982 is referred to as '1988' in the Signal Message dated 28.9.2007/Annex. A/1.

In absence of relevant Rules/Circulars and/relevant factual details as pointed out above, it is not possible to decide the issue efficaciously.

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 Taking into account all the aspects ~~case~~, we are of the opinion that grievance of the applicant can be expeditiously considered and relief, if any, can be granted by the competent authority itself. For this purpose, we direct the applicant to file a comprehensive detailed representation (along with complete copy of this O.A. with all Annexures), before Respondent No. 2 / A.O.C., Records, Pin 900453 C/o 56 A.P.O., within a week from today and if such a representation is filed as stipulated above, the said authority shall consider all the contentions made by the applicant in the said representation and, if necessary, afford personal hearing to both the applicant and *Am*





Respondent No. 5, before passing appropriate orders as per Rules/Policy of the Department within two weeks of receipt of said representation. It is open for the applicant to approach concerned competent authority and make a request for maintaining status quo, till decision of the representation.

R.R.Bhandari

(R.R.Bhandari)
Adm.v.Member

A.K.Yog

(A.K.Yog)
Judl. Member

jrm

Received copy
(CR 05 Oct 07
(Applicant))

No 207 to 211
Dt: 10.10.07

Part II and III destroyed
in my presence on 05-6-14
under the supervision of
section officer () as per
order dated 26-5-14

Section officer (Record)