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1

**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR**

ORIGINAL APPLICATION NO. 104/2007

DATE OF ORDER: 17.05.2007

CORAM:

HON'BLE MR. TARSEM LAL, ADMINISTRATIVE MEMBER

I.B. Duggal S/o Late Shri D.P. Duggal, aged about 52 years, by caste Duggal, working as Commander Works Engineer (Airforce) Bikaner, r/o Airforce area, Bikaner.

...Applicant.

Mr. Manoj Bhandari, counsel for applicant.

VERSUS

1. The Union of India through the Secretary, Ministry of Defence, Raksha Bhawan, New Delhi.
2. Engineering in Chief, Integrated HQ of MOD (MES), Army, DHQ, Kashmir House, PO, New Delhi - 110011.
3. The Director General (Personnel), Engineering in Chief Branch, Integrated HQ of MOD (MES), Army HQ, DHQ, Kashmir House, PO New Delhi - 110011.

.....Respondents.

ORDER

[per Hon'ble Mr. Tarsem Lal, Administrative Member]



Mr. I.B. Duggal S/o Late Shri D.P. Duggal, the applicant, posted as Commander Works Engineer (Air Force), Bikaner has filed this Original Application No. 104/2007 against the impugned transfer order dated 07 May 2007 (Annexure A/1) issued by the Director General (Personnel) Engineer-in-Chief Branch, Integrated HQ of MOD (Army), DHQ PO, New Delhi - 110011.

The applicant has requested that he had submitted his

2

representation dated 27th February, 2007 (Annexure A/3) for considering his posting to Chandigarh, Bhatinda or Jalandhar. The applicant has pleaded that no reply to his representation dated 27th February, 2007 (Annexure A/3) has been received so far. Meanwhile, transfer order dated 07 May 2007 (Annexure A/1) has been issued under which he has been posted from CWE (AF), Bikaner to CE (A&N), Port Blair. The applicant has requested that he has been a patient of Asthma from childhood and the environment/climate coastal area does not suit him, therefore, he again put up his representation dated 8th May 2007 (Annexure A/5) on receipt of the transfer order.

The applicant has stated that under the transfer order dated 07 May 2007 (Annexure A/1) issued by the Director General (Personnel) Engineer-in-Chief Branch, Integrated HQ of MOD (Army), DHQ PO, New Delhi - 110011 that the applicant has been posted to one of the hard stations. Therefore, he has requested vide his representation dated 8th May 2007 (Annexure A/5) that he may be posted to Shillong where vacancy exists,, which is also a notified hard tenure station as per existing policy. No reply to the above representation has also been received so far whereas a movement order dated 09 May 2007 (Annexure A/2) has already been issued.



The applicant has requested that he may be retained on its present posting at Bikaner till the final decision is taken on his

representation dated 08th May 2007 (Annexure A/5) by the Engineer-in-Chief, Integrated HQ of MOD (Army) Kashmir House DHQ PO, New Delhi – 110011.

In view of the position stated above, the respondents are directed that the applicant be retained at Bikaner till a final decision is taken by the Competent Authority on his representation dated 08th May 2007 (Annexure A/5). The said representation may be considered appropriately by the Competent Authority taking into account all the relevant facts explained by the individual. It is further directed the respondents shall take a final decision on the said representation within a period of four weeks from the date of receipt of a copy of this order. The Original Application stands disposed of accordingly.



Tarsem Lal
(Tarsem Lal)
Administrative Member

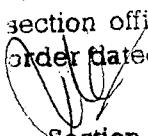
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along with copy of petition
copy of order sent to
R1 to R3 G.W. No. 11.7 to 11.9.

PT- 21.5.07

R/c
Q. 5.4.07
18.05.07

Part II and III destroyed
in my presence on 23-6-14
under the supervision of
section officer (J) as per
order dated 26-3-14.


Section officer (Record)