

**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH; JODHPUR**

Original Application No.151/2011

Date of decision:27.05.2011

Hon'ble Dr. K.B. Suresh, Judicial Member.

D.K. Jain S/o Shri Suraj Mal Jain, aged about 51 years, R/o C/o Mahesh Chandra Doshi, in front of GPO, District Banswara, at present employed on the post of Sr. TOA (P) in the office of GMTD, BSNL, Banswara.

: Applicant.

Rep. By Mr. A.K. Kaushik : Counsel for applicant.

Versus

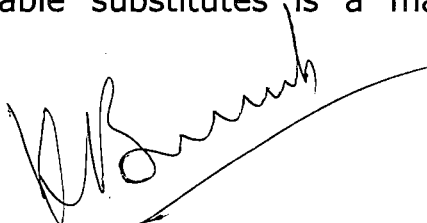
1. Bharat Sachar Nigam Ltd, through its Chairman & Managing Director, Corporate Office, Bharat Sanchar Bhawan, Harish Chandra Mathur Lane, Janpath, New Delhi-110001.
2. The Chief General Manager Telecommunication, Bharat Sanchar Nigam Ltd, (A Govt. of India Enterprises), Rajasthan Circle, Sardar Patel Marg, Jaipur-08.
3. The General Manager Telecom District, BSNL, BAnswara-327001.

: Respondents.

ORDER (ORAL)

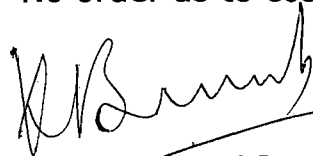
Heard Shri A.K. Kaushik, the learned counsel for the applicant.

2. It would appear that after serving for more than 7 years at a difficult station, in pursuance with the transfer policy & instruction in force, a detailed application dated 18.08.2008 has been submitted by the applicant for his transfer to Dungarpur City under SSA Banswara. It would further appear that vide Annexure-A/1, the respondents seem to have replied to the applicant that on availability of suitable substitutes his request would be granted. The availability of suitable substitutes is a matter within the



responsibility of the higher officers, and after having served 7 years at a difficult station, the applicant ipso facto is entitled to a choice posting. Therefore, the Annexure-A/1 dated 09.05.2011 is hereby quashed and set aside, and the respondents are directed to reconsider the request of the applicant and make all efforts in accordance with the law to provide the benefit of choice posting to the applicant.

3. The Original Application is, thus, allowed to the extent as stated above at the admission stage itself. No order as to costs.


[Dr. K.B. Suresh]
Judicial Member