

Central Administrative Tribunal, Lucknow Bench, Lucknow

Original Application No. 376/2008

This the 27th day of November, 2009

Hon'ble Ms.Sadhna Srivastava, Member (J)

Om Prakash aged about 48 years son of late Sri Shyam Bihari resident of 4/105, Sector H, Jankipuram, Lucknow.

Applicant

By Advocate: Sri Praveen Kumar

Versus

Union of India through

1. The Secretary, Ministry of Defence, New Delhi.
2. The Directorate General, NCC, West Block IV, R.K. Puram, New Delhi.
3. The Deputy Director, Directorate NCC, U.P.Ashok Marg, Lucknow.
4. The Joint Director, Directorate, NCC, U.P., Ashok Marg, Lucknow.

Respondent

By Advocate: Sri K.K. Shukla

ORDER (ORAL)

Hon'ble Ms. Sadhna Srivastava, Member (J)

The instant O.A. has been filed for quashing of order dated 3.10.2008 whereby the applicant while working as Central Motor Driver (In short CMD) has been transferred from Directorate, NCC, U.P., Lucknow to Directorate, NCC, Uttrakhand, Dehradun (Annexure No.1). This Tribunal granted the interim order dated 30th October, 2008 to maintain status quo as on date. The Counsel for applicant states that during the pendency of the present O.A, one Virendra Kumar Bharti who was also Central Motor Driver (CMD) died on 9.11.2009. Now the prayer the applicant is that his request for transfer to Directorate, NCC, U.P on the post of CMD , the post which has fallen vacant on the death of Sri Bharti may kindly be considered.

2. The Counsel for respondents submits that no representation has been filed by the applicant against the



transfer order and the applicant has been transferred from Directorate, NCC, U.P, Lucknow to Directorate, NCC, Uttrakhand, Dehradun on account of policy decision taken by the Govt. of India.

3. In view of the submissions made by the parties, I am of the opinion that this O.A. can be disposed of at this stage by giving a direction to the applicant to make a representation for his posting as CMD, Directorate, NCC, U.P, Lucknow within a period of one week hereof and in turn, the same shall be considered by the competent authority within a period of 2 weeks after receipt of representation. Interim order will continue till disposal of the representation. With this direction, O.A. stands disposed of. No costs.



(Ms. **Sadhna Srivastava**)
Member (J)

HLS/-