

Central Administrative Tribunal, Lucknow Bench, Lucknow

O.A. No.109/2011

This the 11th day of March, 2011

Hon'ble Shri Justice Alok Kumar Singh, Member (J)

Amar Jit Singh Bisen aged about 58 years son of late Sri Bhairava Dutt Singh, resident of ED-370, Sector Q, Aliganj, Lucknow.

Applicant

By Advocate: In person

Versus

1. Bharat Sanchar Nigam Ltd., through its Chief Managing Director, New Delhi.
2. The Chief General Manager, Telecom, U.P. (East) Circle, Lucknow.
3. The General Manager, Finance, U.P. (East), Circle, Lucknow.
4. The Principal General Manager, Telecom District, Lucknow.

Respondents

By Advocate: Sri G.S.Sikarwar

ORDER (Dictated in Open Court)

By Hon'ble Sri Justice Alok Kumar Singh, Member (J)

Heard the applicant present in person about 10 minutes. From the other side, Sri G.S. Sikarwar has put in his appearance. He also made submission on behalf of the respondents.

2. This O.A. has been filed for directing the respondents to dispose of applicant's representations dated 27.11.2010, and 2.12.2010 followed by reminders dated 15.12.2010 and 10.2.2011 for considering the applicant's request for change of posting orders.

3. The perusal of the record shows that that the applicant is working as Sr. TOA (TD) (vide order dated 8.11.2010 (Annexure 8).The applicant along with 12 other officials were selected for the post of JAO and they were deputed for JAO induction

At

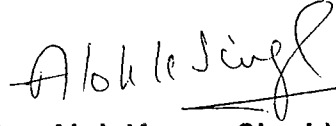
training phase I for 4 weeks, commencing w.e.f. 15.11.2010 at different training centres. The applicant was sent at training centre RTTC, Mysore for which he was relieved in the afternoon of 11.11.2010 from Lucknow, his present place of posting vide Annexure No.9. Then he joined at Mysore for training and on successful completion of the induction training, he was relieved in the afternoon on 10.12.2010 from Mysore training centre with a direction to report to TDN Jaunpur TD Circle UP East where he was posted as TD (Vide Annexure 1). It is said that it was a promotion.

4. The applicant says that instead of reporting at the aforesaid place, he attended some departmental enquiry as a defence assistant at Lucknow on 15.12.2010 and thereafter he orally met several officials. Concededly, he has not joined at the aforesaid place till date, in compliance of the aforesaid order. Instead he chose to appear as defence assistant in some inquiry against some other official, the details whereof are also wanting. From the other side, it is stated that it was not a Govt. job and he could have appeared as a defence assistant only with permission of the relevant authority. No such permission has been brought on record. Admittedly, he was relieved from Lucknow on 11.11.2010 itself to enable him to join the training programme mentioned herein above. Therefore, there was no occasion for him to have remained in Lucknow on the aforesaid pretext.

5. I find substance made from the other side. These submissions are also substantiated by the record of this O.A. itself.

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6. In view of such facts and circumstances, this Tribunal is feeling handicapped in entertaining this O.A. in favour of the applicant. Accordingly, this O.A. is dismissed. No costs.


(Justice Alok Kumar Singh) 11.3.11
Member (J)

HLS/-