

CENTRAL ADMINISTRATIVE TRIBUNAL,LUCKNOW BENCH

O.A. No. 262/06

Lucknow this the 31st day of May, 2006

Hon. Mr. A.K. Bhatnagar, Member (J)

Smt. Romi Sultan, aged about 40 years, w/o Shri Ashutosh Tikku R/o 304, Sukh Apartment, Sector '16', Indira Nagar, Lucknow, presently posted as Assistant Audit Officer, Office of the Accountant General (C&RA) U.P., Lucknow.

Applicant.

By Advocate Shri Kuldeep Bajpai.

Vs.

1. Union of India through Comptroller and Auditor General of India, New Delhi.
2. Accountant General Commercial and Receipt order, CGO Complex IV floor Sector H, Aliganj, Lucknow.
3. Senior Deputy Accountant General Civil Audit, U.P.

Respondents

By Advocate Shri A.K. Chaturvedi.

Order (Oral)

By Hon. Mr. A.K. Bhatnagar, Member (J)

1. By this O.A. the applicant has prayed for a direction of quashing the order dated 24.5.06 (Annexure 6), by which the applicant has been transferred from Lucknow to Dehradun (Uttaranchal). According to the applicant, she was appointed in the year 1987 on the post of Clerk in A.G. office Sriganganagar (J& K). She was thereafter transferred to Jaipur (Rajasthan) in the year 1991. She was transferred on unilateral basis to Lucknow and joined as Clerk after forgoing her seniority and promotion and was permanently absorbed in Lucknow on the terms and conditions laid down by the Department. She was later on promoted as Audit and Accounts Officer. The applicant is aggrieved by the transfer order dated 24.5.06, transferring her on deputation basis from Lucknow to Dehradun.
2. The learned counsel for the applicant submits that as per terms and conditions of the Department, (Annexure IV) the applicant was only liable for transfer to any of the Branch offices/parties field offices in the State of U.P. and she was not supposed to have been re-



transferred to her parent office or to any other office. He has further submitted that the applicant has permanently been absorbed at Lucknow in 1993 and that applicant's children are also studying in Lucknow.

3. During the course of arguments, the learned counsel for the applicant pointed out that he has already filed a representation to the competent authority on 26.5.06 (Annexure 6) which is still lying undecided and she will be satisfied if her representation is decided by a reasoned and speaking order as per extant rules within a stipulated period.
4. After hearing the counsel for the parties and without going into merits of the case, I am of the considered view that interest of justice shall better be served if the representation of the applicant is decided as per rules. Accordingly, this O.A. is disposed of at the admission stage itself without calling for Counter Affidavit, with a direction to the competent authority/respondent No.3 to decide the representation filed by the applicant dated 26.5.06 as expeditiously as possible, preferably within a period of one month from the date of receipt of copy of this order. In the interest of justice, keeping in view the facts and circumstances mentioned by the applicant in her O.A., it is provided that status quo as on today in respect of the applicant, shall be maintained till the disposal of the representation. No order as to costs.


(A.K. BHATNAGAR)
MEMBER (J)

S.A.