

Central Administrative Tribunal, Lucknow Bench, Lucknow

Original Application No. 265/2009

This the 24th day of June, 2009

Hon'ble Mr. M. Kanthaiah, Member (J)

Capt. Pramod Kumar Bajaj, aged about 46 years, S/o late Sri P.D. Bajaj, R/o C-3/237 D, Vinay Khand, Gomti Nagar, Lucknow (presently working as Additional Commissioner of Income Tax, Room No. 450, Aayakar Bhawan Mumbai (under order of transfer to Lucknow/U.P. East.

.....Applicant

By Advocate: Sri R.C. Singh

Versus

1. Union of India through the Secretary, Ministry of Finance, (Department of Revenue), New Delhi.
2. Chief Commissioner of Income Tax (CCA), Aayakar Bhawan, Ashok Marg, Lucknow.
3. Chief Commissioner of Income Tax, Aayakar Bhawan, Allahabad.

.....Respondents

By Advocate: Sri Atul Dixit for Dr. Neelam Shukla.

ORDER

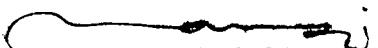
The applicant has filed this O.A. challenging the impugned transfer order dated 22.6.2009 (Annexure-1) transferring him from CCIT (CCA), U.P. (East), Lucknow to Add. CIT, Azamgarh Range, Azamgarh.

2. It is the case of the applicant that while he was working at Mumbai, he made representation vide Annexure-3 for his request transfer choosing Lucknow, Delhi and Mumbai, upon which he has been transferred to U.P. East by respondent no.2 vide order dated 12.6.2009. Thereafter the local committee headed by respondent no.2 considered the request of the applicant and transferred him to Add. CIT, Azamgarh Range, Azamgarh.



3. It is also the case of the applicant that while on leave in May 2009 at Lucknow, he was attacked by unknown armed masked, upon which he approached the Hon'ble High Court by filing Writ Petition bearing no. 5573(M/B) of 2009 with a prayer to provide security. The aforesaid Writ petition was finally disposed of with direction to provide sufficient security to the petitioner for his safeguarding. The applicant's counsel further submits that the applicant made a representation dated 19.6.2009 (Ann.-A-8) for his posting at Lucknow, but the authorities have not considered the request of the applicant while passing the impugned order, more particularly in respect of threat to his life at Lucknow and also other family problems. Learned counsel for the applicant further submits that the applicant has not yet been relieved from his present place of posting. It is also the contention of the applicant that there are about 10 vacancies at Lucknow in the cadre of Add. CIT, in which the applicant can easily be accommodated.

4. In view of the above, the O.A. is disposed of at admission stage with direction to respondent no.2 to reconsider the request of the applicant (Annexure A-8) for his posting at Lucknow, due to his personal problems and also because of threat to his life, within a period of three weeks from the date of receipt of supply of a copy of this order, by passing a reasoned and speaking order in accordance with law. Till then, the operation of impugned transfer order dated 22.6.2009 (Annexure-1) ~~in respect of the applicant~~ shall be kept in abeyance, if not already implemented. No costs.


(M. Kanthaiah)

Member-J

24.06.2009

Girish/-