

Central Administrative Tribunal, Lucknow Bench, Lucknow

ORIGINAL APPLICATION No.502/2009

This the 18th day of December, 2009

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

Jagroop Singh, aged about 55 years, son of Sri Raj Narayan Singh, resident of 2/417, Viram Khan, Gomti Nagar, Lucknow [presently working as Assistant Supervisor on attachment with Military Farms, Lucknow].

.....Applicant

By Advocate: Sri R.C. Singh.

Versus

1. Union of India through the Secretary, Ministry of Defence, Central Secretariat, New Delhi-110001.
2. Quartermaster General, Integrated Services Headquarter of Ministry of Defence (Army), New Delhi.
3. Deputy Director General Military Farms, Quartermaster General's Branch, Integrated Services Headquarters of Ministry of Defence (Army), New Delhi.
4. Director Military Farms, Headquarters Central Command, Lucknow.
5. Director Military Farms & Frieswal Project, Meerut.
6. Military Farms Records, Delhi Cant., through the Record Officer.
7. Officer In-charge, Military Farms, Lucknow.

.....Respondents

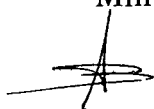
By Advocate: Shri S.P. Singh holding brief for D. Neelam Shukla.

ORDER (Oral)

By Ms. Sadhna Srivastava, Member-J

The applicant seeks a direction upon the respondents no.6 to comply with the order issued by Respondent No.3 vide letter dated 24.09.2009 and transfer the applicant from Meerut to Lucknow.

2. The facts in brief are that the applicant while working in Military Farm, Bangdubbi in the year 2005 was transferred to the Directorate of Military Farms & Frieswal Project, Meerut on 10.01.2007. Thereafter, he was attached to Military Farm, Lucknow against the vacant post of Assistant Supervisor for a period of three months vide order dt.25.03.2009. The applicant made a request for his transfer to Military Farm, Lucknow. On 31.07.2009 the Deputy Director General,




Military Farm, Army Headquarters accorded the sanction of attachment of the applicant with Military Farm, Lucknow up to 30.09.2009. Thereafter, on 14.09.2009 the Officer In-charge, Military Farm, Lucknow referred the matter to Director Military Farm, Headquarters Central Command for extension of the attachment of the applicant for next three months or his permanent posting to Military Farm, Lucknow; that the matter has already been considered by Respondent No.3 i.e. Deputy Director General Military Farms, Quartermaster General's Branch, Integrated Services Headquarters of Ministry of Defence (Army), New Delhi and the Respondent No.3 on vide letter dated 24.09.2009 as contained in Annexure-A-1 directed the Record Officer, Military Farm, Delhi that the applicant may be posted to Military Farm, Lucknow in place of Shri S.C. Mishra, Supervisor who has retired on 31.07.2009, provided the applicant has not served at Military Farm, Lucknow in recent years. Alternatively, a Summary may be provided as replacement for the retired individual. The applicant claimed that the order passed by the Respondent No.3 has not yet been complied with and no orders for his final posting to Military Farm, Lucknow has yet been issued. However, he filed a representation dt.31.10.2009 as contained in Annexure-A-7, which is still pending. It is also stated that the term of attachment has already expired but the applicant has been performing the duties at Lucknow.

3. After hearing the counsel for the parties, I am of the considered opinion that the purpose of the applicant would be served incase competent authority is directed to decide the claim of applicant by reasoned and speaking order. Accordingly, the competent authority is directed to treat this OA as representation of the applicant and decide the same in accordance with rules by reasoned and speaking order within a period of two months. In the meantime, status-quo as on



today shall be maintained. The applicant is also directed to file the copy of OA alongwith the certified copy of this order before the competent authority within 2 weeks thereof.

4. The OA is disposed of accordingly. No order as to costs.


(Ms. Sadhna Srivastava)
Member-J

Amit/-