

**CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH**

**Original Application No.214/2010
This the 28th May, 2010**

HON'BLE DR. A.K. MISHRA, MEMBER (A).

P.P. Shukla aged about 42 years, son of Sri G.P. Shukla, residence of H.No.340/8 Kha Triveniganj, Naubasta P.S. Bazar Khala, Lucknow.

...Applicant.

By Advocate: Applicant in person.

Versus.

1. Union of India, through Secretary Ministry of Home Affairs, New Delhi.
2. Director, Directorate of Co-ordination (Police Wireless) Block No.09, DC.G.O. Complex, New Delhi-3.
3. Extra Assistant Director, I.S.P.W. Station, Mahanagar, Lucknow.

... Respondents.

By Advocate: Shri Pankaj Awasthi holding brief for

Shri Rajendra Singh.

ORDER (Oral)

BY HON'BLE DR. A.K. MISHRA, MEMBER (A).

Heard the applicant in person and Shri Pankaj Awasthi holding brief for Shri Rajendra Singh, counsel for respondents.

2. The applicant submits that his daughter is now in the B.A.-II of Lucknow University and her course is likely to be completed by the end of March, 2011. He has come on transfer

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from Delhi on 13.03.2008 and had completed about 2 years when the impugned transfer order was issued posting him to Panaji, Goa.

3. He had filed a representation before Respondent No.2 requesting for cancellation of the transfer order. His representation is at Annexure-10. On going through the representation, I do not find any specific mention about his assurance that he was prepared to go on transfer out of Lucknow once the academic secession of his daughter is over next year. He stated before me that the academic secession is likely to be over by the end of March, 2011 and then he would not have any problem to move out of here. Presently he is faced with the problem of accommodating his daughter during the remaining part of the term.

4. In view of the fact that he has come from Delhi on transfer to Lucknow only 2 years back and in consideration of his assurance that he is prepared to go on transfer from Lucknow next year any time after the end of March, 2011, he is directed to make a fresh representation before the competent authority setting fourth his specific problems related to completion of BA-II year course of his daughter and his assurance to move out of Lucknow after March, 2011. In the circumstances, Respondent No.2 is directed to consider such representation of the applicant and pass appropriate orders. The representation should be made within one week and the decision on the representation should be taken within three weeks from the date of receipt of the representation. The

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respondent authorities are directed not to initiate any coercive action against the applicant till disposal of fresh representation to be filed by the applicant. While deciding his representation respondents should give a reasoned and speaking order.

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


(Dr. A.K. MISHRA)
MEMBER (A)

/amit/

~~GB A order~~
~~Copy of A order~~
~~dated 28-5-2010~~
~~For you~~
~~28-5-2010~~