

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH

Original Application No: 441 OF 1999.

Date of Decision: 13.05.1999.

Dr. S. Vadivelu,

Applicant.

Shri R. P. Saxena,

Advocate for  
Applicant.

Versus

Indian Council of Agricultural  
Research & Anr.

Respondent(s)

Shri V. G. Rege,

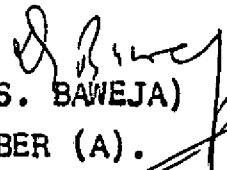
Advocate for  
Respondent(s)

CORAM:

Hon'ble Shri. D. S. Baweja, Member (A).

XXXXXXXXXX.

- (1) To be referred to the Reporter or not? \*
- (2) Whether it needs to be circulated to  
other Benches of the Tribunal?

  
(D. S. BAWEJA)  
MEMBER (A).

CENTRAL ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH

ORIGINAL APPLICATION NO.: 441/99.

Dated this Thursday, the 13th day of May, 1999.

CORAM : HON'BLE SHRI D. S. BAWEJA, MEMBER (A).

Dr. S. Vadivelu,  
Senior Scientist,  
N.B.S.S. & L.U.P.,  
Amravati Road,  
Nagpur.

Residing at -

Kamal Narayan Apartments,  
Q-3, Laxmi Nagar,  
Nagpur.

... Applicant

(By Advocate Shri R. P. Saxena)

VERSUS

The Director General,  
1. Indian Council of Agricultural  
Research,  
Krishi Bhavan,  
New Delhi - 110 001.

2. The Director,  
National Bureau of Soil  
Survey and Land Use  
Planning, Amravati Road,  
Shankar Nagar P.O.,  
Nagpur - 440 010.

... Respondents.

(By Advocate Shri V. G. Rege)

: OPEN COURT ORDER :

PER.: SHRI D. S. BAWEJA, MEMBER (A)

This O.A. has been filed by the applicant on feeling aggrieved by the order of transfer dated 01.05.1999 as per which the applicant has been transferred from the present station of posting at Nagpur to Jabhat. The applicant submits that he has made a representation dated 04.05.1999 against this order. He further submits that

even before the transfer order he had made a representation dated 29.04.1999 seeking transfer to his home station in view of his personal problems.

2. On going through the averments made in the O.A., it is noted that the setting aside of the transfer order is mainly sought on the ground that the respondents have not followed the guidelines with regard to the transfer, which he has brought on record at Annexure A-9 of the O.A. The applicant has also stressed personal difficulties as one of the ground for seeking setting aside of the order

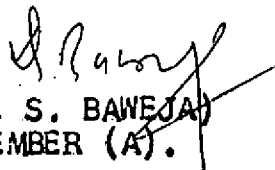
3. Apart from seeking the relief of setting aside the transfer order, the applicant has also prayed that the respondents be directed to consider the representations of the applicant dated 29.04.1999 and 04.05.1999 and pass appropriate orders within specified time limit.

4. Heard the arguments of both the parties. Keeping in view the issue involved and averments made in the O.A., it is considered that the O.A. can be disposed of with a direction to the respondents, without going into the merits of the rival contentions, to consider the representations of the applicant and pass a speaking order within a specified date. *peru*

5. In view of the above, the O.A. is partly allowed with a direction to Respondent No. 1, i.e. the Director General of Indian Council of Agricultural Research,

(2)

to consider the representations of the applicant dated 29.04.1999 and 04.05.1999 as early as possible but not later than 27.05.1999 and pass a speaking order. Till the representation<sup>re</sup> has been disposed of, status-quo as on date shall be maintained till 27.05.1999. No order as to costs.

  
(D. S. BAWEJA)  
MEMBER (A).

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