

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION NO.782/2000.

Thursday, this the 15th day of February, 2000.

Coram: Hon'ble Shri S.K.I.Naqvi, Member (J).

S.P.Bhamare,
Investigator NSSO (F.O.D.),
M(C)R,
Sub Regional Office,
Plot No.8,
Indra Nagari,
Kamathwada Road,
Nasik - 422 008.
(By Advocate Shri S.P.Saxena)

...Applicant.

Vs.

1. Union of India
through the Secretary,
Ministry of Planning,
Deptt. of Statistics,
National Sample Survey Organisation,
New Delhi - 62.
2. The Deputy Director General,
N.S.S.O. (F.O.D.), Field Operation Divn.,
National Sample Survey Organisation,
C-Block, III floor,
Pushpa Bhawan,
Madangir Road,
New Delhi -62.
3. The Deputy Director,
National Sample Survey Organisation,
N.S.S.O. (F.O.D.), Field Operation Divn.,
Headquarters,
Faridabad.
(Shri S.S.Karkera for Shri P.M.Pradhan)

...Respondents.

: O R D E R (ORAL) :

{Per Shri S.K.I.Naqvi, Member (J)}

Vide Order dt. 7.3.2000, the Applicant Shri S.P.Bhamare has been transferred from Nasik to Faridabad. He challenged this order in O.A. No.626/2000 which has been decided by order dt. 5.9.2000 with a direction to Respondent No.2 to decide the

...2.

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representation of the applicant within a period of one month from the date of receipt of copy of the order. The Respondents decided the representation as per Annexure - AA dt. 13.10.2000, ^{Nasik} to which he has been advised to report for duty immediately to his new place of posting and thereby his request for his stay at Nasik has been declined. Now, through this OA, the applicant has come up impugning the original transfer order, as well as, the order dt. 13.10.2000.

2. The Respondents have contested the case and filed counter reply.

3. Heard the learned counsels on either contesting parties and perused the record.

4. The Learned Counsel for Applicant has mainly confined his submissions ~~for~~ consideration on compassionate ground, ^{as} such as the wife of the Applicant is serving at Nasik and this transfer will not only disturb his family life, but will also adversely affect the health and working capacity of his ailing wife.

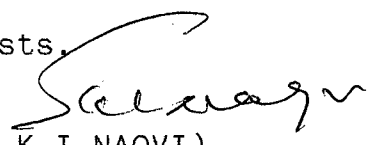
5. The learned counsel for Respondents has strongly opposed this prayer.

6. Now, the learned counsel for applicant has come up to the extent that the applicant may be considered for posting at any station within Maharashtra i.e. Bombay, Thana, Jalgaon and Pune and shedding to press for Aurangabad.

7. Keeping in view the facts and circumstances of the matter, I find it to be a fit case to decide the same with following direction.



8. In case, the applicant makes a fresh representation within 10 days time, in the light of submissions made on his behalf today before me, the representation be decided within two weeks thereafter taking into consideration the facts as may be mentioned in the representation and the applicant is expected to comply with the order as may be passed on his representation. The application is disposed of accordingly. No costs.


(S.K.I. NAQVI)
MEMBER(J)

B.