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CAT/J/12

# IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW BOMBAY BENCH  
CAMP : NAGPUR

O.A. No. ~~XXXXXXXXXX~~ ST.N-15/91 (OP 140/91) 198  
T.A. No.

DATE OF DECISION 21.3.1991

Shri P.V.Mathai Petitioner

Shri V.S.Kukaday Advocate for the Petitioner(s)

Versus

Union of India & Ors. Respondent

Shri Ramesh Darda Advocate for the Respondent(s)

## CORAM

The Hon'ble Mr. A.P.Bhattacharya, Member (J)

The Hon'ble Mr. P.S.Chaudhuri, Member (A)

1. Whether Reporters of local papers may be allowed to see the Judgement ? Yes
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ? } No
4. Whether it needs to be circulated to other Benches of the Tribunal ?

*P.S. Chaudhuri*  
(PS CHAUDHURI)  
M(A)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
NEW BOMBAY BENCH, NEW BOMBAY  
CAMP : NAGPUR

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St.N-15/91 (OA 140/91)

Shri P.V.Mathai ... Applicant  
V/S.

Union of India & Ors. ... Respondents

CORAM: Hon'ble Member (J) Shri A.P.Bhattacharya  
Hon'ble Member (A) Shri P.S.Chaudhuri

Appearance

Mr.Kukday  
Advocate  
for the Applicant

Mr.Ramesh Darda  
Advocate  
for the Respondents

ORAL JUDGEMENT

Dated: 21.3.1991

(PER: P.S.Chaudhuri, Member (A))

This application under Section 19 of the Administrative Tribunals Act, 1985 was filed on 18.3.1991. In it the applicant who is working as Assistant Foreman, Ordnance Factory, Bhandara is challenging the order dated 22.2.1991 (A-1) by which he is transferred to High Explosive Factory, Kirkee on 15.4.1991.

2. We have heard Mr.V.S.Kukaday, learned counsel for the applicant and Mr.Ramesh Darda, learned counsel for the respondents. Mr. Darda opposes the application.

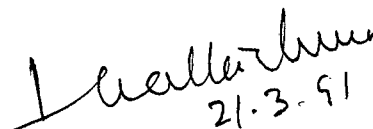
3. It is not disputed that the applicant has submitted a representation dated 12.2.1991 against the impugned transfer order. In this application he has also made mention of his request for mutual transfer with some other employees who are wanting to go on transfer to Pune. This representation dated 12.2.1991 is yet to be answered. In view of this position and as the facts are not in dispute, we are of the opinion that the application can be disposed of at the admission stage itself with a suitable direction to the respondents.

4. We accordingly admit the application and proceed to dispose of it by this order. We ~~accordingly~~ direct the respondents to dispose of the representation dated 12.2.1991 submitted by the applicant by 5.4.1991. We further direct that if the final decision in the matter goes against the applicant, they shall not implement the impugned order dated 22.2.1991 till 25.4.1991. If the applicant remains aggrieved after the respondents have passed their final orders, he is at liberty to approach the Tribunal afresh in the matter.

5. The application is disposed of accordingly. In the circumstances of the case there will be no order as to costs.



(P.S. CHAUDHURI)  
MEMBER (A)

  
21.3.91

(A.P. BHATTACHARYA)  
MEMBER (J)