

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

0479/94

Smt. Y. A. Kamble

...

Applicant

vs

Union of India
Ministry of Defence
and Ors.

...

Respondents.

Coram: Hon'ble Mr. M.R. Kolhatkar, Member(A)

Advocate for the applicant - Shri V.M. Bendre

Dated: 25-1-94

Tribunal's Order

(Per: Hon'ble Mr. M.R. Kolhatkar, Member(A))

In this application the applicant has requested for the relief of issue of directions to the respondent No. 3 ~~Commandant~~ ^{DSC PT} Ammunition Factory Kirkee, Pune that the representation dated 29-11-93 may be considered and disposed of and pending this not to transfer her to Lohagaon Airforce Station to which she has been transferred by order dated 19 Sept. 90 which remains to be implemented ^{for reasons} into which it is not necessary to go. The applicant has stated in the application that Airforce Station Lohagaon is 11 Kms from her residence, she is suffering from Bronchial Asthama ~~and~~ ^{that} that she has recently undergone misscarriage, / her husband is ^a civilian employee and that there are atleast 3 cases in which the department has considered the request for posting of lady employees on the basis of Govt. of India's guidelines relating to "couple concession". No doubt, the applicant has no right to the posting in ^a particular place. No doubt, this Tribunal had earlier rejected her request for cancellation of transfer order. However, the circumstances enumerated by the applicant do indicate that the applicant has made out ~~the~~ ^a case which deserves careful consideration by the competent authority.

We, therefore, dispose of this application at the admission stage by passing the following order:

Order:-

The respondent No. 3 is directed to consider the representation of the applicant dated 29-11-93, and give her a reply by means of ^a speaking order.

Pending this, the respondents are restrained from transferring the applicant from the present position.

It is clarified that the respondents are not prevented from passing a fresh order ^{of transfer} or implementing ^{their} earlier order of the transfer but they should do so only after giving reply to the applicant's representation.

There will be no order as to costs.

Dasti.

M.R. Kolhatkar

(M.R. Kolhatkar)
Member(A)

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