

CENTRAL ADMINISTRATIVE TRIBUNAL  
BENCH AT MUMBAI

ORIGINAL APPLICATION NO. 125 /1997

Date of Decision: 06.02.1997.

Shri E.M.C. Fernandes

Petitioner/s

Applicant in person.

Advocate for the  
Petitioner/s

V/s.

Union Of India & Others,

Respondent/s

None.

Advocate for the  
Respondent/s

CORAM:

Hon'ble Shri B. S. Hegde, Member (J).

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

*B. S. Hegde*  
(B. S. HEGDE)  
MEMBER (J).

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CENTRAL ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH

ORIGINAL APPLICATION NO.: 125/97.

Dated this Thursday, the 6th day of February, 1997.

CORAM : HON'BLE SHRI B. S. HEGDE, MEMBER (J).

E. M. C. Fernandes ... Applicant  
(In person)

VERSUS

1. Chief Engineer-I,  
West Zone, Central P.W.D.,  
14th Floor, CGO Annexe Bldg.,  
101 M.K. Road,  
Mumbai - 400 020.
2. Suptdg. Engineer (Coord),  
Co. Ordination Circle, WZ,  
Central P.W.D., 3rd floor,  
New C.G.O. Building,  
48, New Marine Lines,  
Mumbai - 400 020. ... Respondents.
3. The Union Of India through  
the Director General Of Works,  
Central P.W.D.,  
Nirman Bhavan,  
New Delhi - 110 011.

: ORAL ORDER :

PER.: SHRI B. S. HEGDE, MEMBER (J)

Heard the applicant in person. He states that pursuant to the order passed by the respondents vide dated 28.06.1993, alongwith the applicant one Shri N.B. Warik, also has been transferred to Jabalpur. Again the respondents, pursuant to the request made by Shri Warik, changed the place of posting from Jabalpur to Ahmedabad and again from Ahmedabad to Bombay. In this connection, the applicant draws my attention to the circular of the respondents department vide dated 31.10.1991 wherein it is stated that an official on request from unpopular station to popular station may be

transferred after completion of three years if there is a vacancy at popular station and after 4 years, even if longest stayee, who has completed his tenure of atleast four years at the popular station, has to be shifted. Since Shri Warik is posted to Bombay on his own request, the applicant ought to have been given Bombay posting immediately after he completes his tenure. Accordingly, he made a representation to the competent authority for his transfer back to Bombay, which has not yet been disposed of.

2. In the circumstances, I hereby direct the respondents to consider the representation of the applicant and dispose of the pending representation within a period of two months from the date of receipt of a copy of this order.
3. The O.A. is disposed of with the above direction. No order as to costs.

  
(B. S. HEGDE)  
MEMBER (J).

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