

CENTRAL ADMINISTRATIVE TRIBUNAL
BENCH AT MUMBAI

ORIGINAL APPLICATION No. 509/1997.

Date of Decision: 12.06.1997.

Vishwanath Dashrath Bambodkar, Petitioner/s

Shri S. S. Karkera, Advocate for the
Petitioner/s

V/s.

Union Of India & Others, Respondent/s


Shri R. K. Shetty, 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)
MEMBER (J).

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CENTRAL ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH

ORIGINAL APPLICATION NO.: 509/97.

Dated this Thursday, the 12th day of June, 1997.

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

Vishwanath Dashrath Bambodkar,
Senior Auditor,
O/o. the Joint Controller of
Defence Accounts (Air Force),
Nagpur.

... Applicant

(By Advocate Shri S.S. Karkera)

VERSUS

1. Union Of India through
The Secretary,
Ministry of Defence
(Finance), South Block,
New Delhi.

2. The Controller General of
Defence Accounts,
R. K. Puram, Block-V,
New Delhi - 110 066.

3. The Controller of Defence
Accounts (Air Force),
Dehradun - 248 001.

4. The Joint Controller of
Defence Accounts
(Air Force),
New Secretariate Building,
Civil Lines,
Nagpur - 440 001.

... Respondents.

(By Advocate Shri R. K. Shetty).

: O R A L O R D E R :

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

Heard Shri S. S. Karkera for the applicant.

Shri R. K. Shetty takes notice on behalf of the respondents.

No reply is filed by the respondents.

Bla

2. The learned counsel for the applicant draws my attention to the transfer order issued by the respondents vide dated 28.04.1997 pursuant to the instructions received from the Headquarters vide letter dated 17.04.1997. The contention of the learned counsel for the applicant is that, in view of the guidelines, they should have given an option to the applicant to choose a relevant place, which is not given. The applicant thereafter, made representations vide dated 10.01.1997 and 05.05.1997, for which no reply has been given by the respondents. The applicant, thereafter, made a representation on 30.05.1997^{addressed} to the C.G.D.A., New Delhi, stating as follows :-

"Having understood that my appeal for exemption from transfer to Jabalpur has not been acceded to, I request your honour to grant me deferment for a month or so, as I am surrounded by certain family problems, which may take some ~~tin~~ days to overcome."


Pursuant to the request made by the applicant, the local authorities at Nagpur issued a letter dated 30.05.1997 stating that as per the request of the applicant vide his application dated 30.05.1997, he has been considered by the competent authority. The individual relief may be deferred and he may be relieved of his duty on 13.06.1997 (AN).

3. In view of the above position and in the facts and circumstances of the case, I hereby direct the Respondent No. 2 to consider the representation of the applicant referred to above and pass ^{an} appropriate ^{speaking} order as per the policy guidelines, within a period of one month.

BSM

Till that time, the applicant shall not be relieved from Nagpur.

4. The O.A. is disposed of with the above directions at the admission stage itself. There will be no order as to costs.


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

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