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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH,
JAIPUR.

Date of Decision: 10.11.1993.

OA 830/92
(OA 231/91)

S.C. GUPTA ... APPLICANT.

Versus

UNION OF INDIA & ORS. ... RESPONDENTS.

CORAM:

HON'BLE MR. GOPAL KRISHNA, MEMBER (J).

For the Applicant ... IN PERSON.

For the Respondents ... SHRI SUKHJINDER SINGH,
Executive Engineer,
Departmental Representative.

PER HON'BLE MR. GOPAL KRISHNA, MEMBER (J).

The applicant, S.C. Gupta, has filed this application u/s 19 of the Administrative Tribunals Act, 1985 (for short 'the Act'), praying that the impugned movement order dated 3.5.1991 (Annexure A-1), transferring him from the office of the Chief Engineer, Jaipur Zone to the Chief Engineer, Bombay Zone, issued by respondent No.3 as also the order dated 11.5.1991 at Annexure A-2 may be quashed.

2. I have heard the applicant and the departmental representative on behalf of the respondents. I have carefully perused the records.

3. The applicant was appointed to the post of Draftsman Grade-II as a civilian on 20.2.1983 at Jaipur

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under the respondents. Presently he is employed in the office of the Chief Engineer, Jaipur Zone, Jaipur. The applicant has been posted at Jaipur since 20.7.1983. The applicant has assailed the impugned order on the ground that he is due for tenure station posting and as such he should not have been transferred on job requirement to a normal station as per the policy in vogue (Annexure A-7). The applicant does not want to press this application on merits and instead he wants to make a fresh representation to the concerned authorities stating all his grievances and he further wants that the same be decided with due sympathy in accordance with rules, instructions and guidelines on the subject.

4. This OA is, therefore, disposed of with the following directions :-

- i) The applicant shall make a fresh representation to the concerned authorities within a period of 7 days from today and the respondent No.2 is directed to decide it with due sympathy in accordance with rules, instructions and guidelines on the subject within a period of one month from the date of receipt of the representation.
- ii) The respondents are directed to retain the applicant as Draftsman Grade-II in the office of the Chief Engineer, Jaipur Zone, Jaipur, till a decision is taken on his representation.

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- iii) The applicant shall be at liberty to file a fresh OA after a decision is taken on his representation, if he is so advised.
- iv) There shall be no order as to costs.

Cp Krishna 10-11-93
(GOPAL KRISHNA)
MEMBER (J)