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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH,  
J A I P U R

Date of order: 20.1.1994

O.A.No.354/1993

SURESH CHAND MEENA : Applicant  
Mr.Yogesh Gupta : Counsel for applicant  
Vs.

UNION OF INDIA AND ORS. : Respondents  
Mr.M.Rafiq : Counsel for respondents

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CORAM :

The Hon'ble Mr.Gopal Krishna, Judicial Member  
The Hon'ble Mr.O.P.Sharma, Administrative Member

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HON' BLE MR.GOPAL KRISHNA, JUDICIAL MEMBER :

Shri Suresh Chand Meena has filed this application under section 19 of the Administrative Tribunals Act, 1985, wherein he has prayed that Annex. A/1 dated 16.2.1993 by which his order of promotion as U.D.C. and posting at Ahmedabad was cancelled may be set aside. He has further prayed that in view of his personal difficulties and his good performance, he may be retained at Jaipur. The applicant<sup>while</sup>/working in the Central Ground Water Board, Jaipur, was promoted as U.D.C. and was transferred to Raipur on the said promotion. He represented against his posting at Raipur. The posting order

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was modified and he was transferred to Ahmedabad. However, he did not join at Ahmedabad either. His case is that in fact he was not relieved by the respondents for joining at Ahmedabad. Consequent on his not joining at Ahmedabad, the promotion order was cancelled.

has been  
2. No reply/filed on behalf of the respondents. By order dated 12.10.1993 the Tribunal had directed that if the reply is not filed within four weeks no reply would be entertained. Since no reply has been filed till date, we are not entertaining the reply. In view of the facts and circumstances of the present case the oral request made by the learned counsel for the respondents to review this order dated 12.10.1993 and permit him to file reply now is rejected.

3. The learned counsel for the respondents has stated that the applicant deliberately avoided joining at Ahmedabad and it was not that the respondents did not relieve him for joining at Ahmedabad.


4. We have heard the learned counsel for the parties and have gone through the records. The learned counsel for the applicant has stated before us now that the applicant is willing to join at Ahmedabad on promotion as U.D.C. The respondents

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are now, therefore, directed to grant him promotion as U.D.C. and post him at Ahmedabad, and the <sup>Gk order at</sup> Annex.A/1 is set aside to this extent.

5. In case the applicant desires to be retained at Jaipur in view of his personal circumstances he may make a representation, after joining at the new place of posting for his transfer back to Jaipur and the respondents shall consider such a request sympathetically.

6. The O.A. stands disposed of with no order as to costs.

  
( O.P.Sharma )  
Admv.Member

  
( Gopal Krishna )  
Judl.Member

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