

CENTRAL ADMINISTRATIVE TRIBUNAL  
JAIPUR BENCH, JAIPUR

**ORDERS OF THE BENCH**

**Date of Order: 27.03.2014**

OA No. 291/00180/2014

Mr. Ashwini Jaiman, counsel for applicant.

Heard learned counsel for the applicant.

2. Learned counsel for the respondents submits that inadvertently the Office Order No. 195 of 2014 dated 18<sup>th</sup> March, 2014 has been annexed as Annexure A/1 of the O.A. This order relates to Dr. Ramesh Kumar, SAG, Medical Superintendent, ESIC Hospital Bhiwadi, Rajasthan, whereas the transfer order of the applicant is Office Order No. 196 of 2014 dated 18<sup>th</sup> March, 2014. He has produced a copy of the Office Order No. 196 of 2014 dated 18<sup>th</sup> March, 2014 today.

3. Registry is directed to place the same on record as Annexure A/1 and the earlier Annexure A/1 be kept in part C' file.

4. Learned counsel for the applicant submitted that the applicant wants to represent before the official respondents against her transfer from ESIC Hospital Bhiwadi, Rajasthan to ESIC Hospital Manesar Haryana vide Office Order No. 196 of 2014 dated 18<sup>th</sup> March, 2012 (Annexure A/1).

5. He further submitted that the applicant has been transferred because she complained against Dr. Ramesh Kumar (respondent no. 4) and also filed an FIR against him. Though the applicant had complained against respondent no. 4 but the official respondents have not taken any action under the Sexual Harassment of Women at Work Place (Prevention, Prohibition and Redressal) Act, 2013 instead the applicant has been transferred and, therefore, this transfer order is punitive in nature.

6. In view of the above, in the interest of justice, the applicant is at liberty to file a representation before the official respondents within seven days from today and the official respondents are directed to decide the same within a period of one month from the date of receipt of the representation. The effect and operation of the Office Order No. 196 of 2014 dated 18<sup>th</sup> March, 2012 (Annexure A/1) shall remain stayed till the disposal of the representation of the applicant. It is made clear that in case the applicant does not file any representation within seven days from today then this order shall cease to have effect automatically.

7. With these observations and directions, the Original Application is disposed of with no order as to costs.



(ANIL KUMAR)  
ADMINISTRATIVE MEMBER