

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR**

ORDER SHEET

ORDERS OF THE TRIBUNAL

05.11.2014

OA No. 291/00599/2014

Mr. Amit Mathur, Counsel for applicant.

Heard the learned counsel for the applicant.

The applicant has filed the present OA being aggrieved by his transfer order dated 28.10.2014 (Annexure A/1) vide which he has been transferred from Rajasthan GDC Jaipur to Gujarat, Daman and Deev, GDC Gandhi Nagar. The learned counsel for the applicant stated that applicant's transfer order has been issued because the Secretary of the Department was annoyed since he was forced to come to the court in a case filed against the applicant in the Court of Special Judge CBI Cases, Jaipur.

The wife of the applicant is also in State Government service and Spouse Policy also provides that husband and wife should be kept together. Moreover, there are 22 sanctioned posts of Officer Surveyor in Rajasthan, out of which 05 posts are still vacant. Only the applicant has been singled out and has been transferred.

The applicant has filed the representation dated 30.10.2014 (Annexure A/9) against his transfer order, which has not been decided so far. In the transfer order, no administrative reason or service interest has been mentioned as reason for transfer. Therefore, the learned counsel for the applicant argued that transfer order dated 28.10.2014 (Annexure A/1) be stayed till the disposal of the OA.


Having heard the learned counsel for the applicant and in the interest of justice, the respondents are directed not to implement the transfer order dated 28.10.2014 (Annexure A/1) till the disposal of the representation by passing a reasoned & speaking order, if it has not been implemented so far.

Amit Kumar

The respondents are also directed that in case the representation of the applicant is rejected then the transfer order dated 28.10.2014 (Annexure A/1) shall not be implemented till the next 15 days. The learned counsel for the applicant is also directed to supply a copy of the paper book of this OA alongwith a copy of this order to respondent no. 2.

If the applicant is aggrieved by the decision on his representation, he is at liberty to file substantive OA, if so advised.

With these directions, the OA is disposed of at admission stage itself.


(Anil Kumar)
Member (A)

Abdul