

**CENTRAL ADMINISTRATIVE TRIBUNAL  
JAIPUR BENCH, JAIPUR**

**ORDER SHEET**

**ORDERS OF THE TRIBUNAL**

05.11.2014

OA No. 291/00600/2014

Ms. Kavita Bhati, Counsel for applicant.

Heard the learned counsel for the applicant.

The applicant has filed the present OA being aggrieved by her transfer order dated 18.07.2014 (Annexure A/1) vide which she has been transferred from HQ CE South Western Command to HQ CE Central Command. The learned counsel for the applicant submitted that the daughter, only child, of the applicant is studying in the 10<sup>th</sup> Std. and her academic career is going to suffer a lot due to this mid academic transfer order.

That the applicant submitted an application to respondent no. 2 praying for deferment of her posting till 31.05.2015 i.e. till the end of the present academic session of her daughter. However, respondent no. 2 rejected the application without assigning any reason. Her another representation is also rejected vide order dated 21.10.2014 (Annexure A/7). Though in the same order, it has been stated that the issue raised by the applicant vide letter dated 28.07.2014 have been noted and will be taken into account.

Being aggrieved by the decision, the applicant filed a representation dated 31.10.2014 to the Defense Secretary, respondent no.1, which is pending consideration.

Having heard the submission of the learned counsel for the applicant and after perusal of the documents on record, the respondent no. 1 is directed to consider and decide the representation of the applicant according to the provisions of law by a reasoned & speaking order. The respondent no. 1 may consider that the applicant has only requested for deferment of her posting till the academic session is over and not for the cancellation of her transfer order. The respondents

*Anil Kumar*

are further directed that till the disposal of the representation by respondent no. 1, the transfer order of the applicant dated 18.07.2014 (Annexure A/1) shall not be implemented, if it has already not been given effect to. If the respondent no. 1 rejects the request of the applicant then the order of transfer dated 18.07.2014 (Annexure A/1) shall not be given effect to for the next 15 days from the date of service of such rejection order.

If the applicant is aggrieved by the decision of respondent no.1 on her representation, she is at liberty to file substantive OA, if so advised.

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

*Anil Kumar*  
(Anil Kumar)  
Member (A)

*Abdul*