

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORDERS OF THE BENCH

Date of Order: 22.12.2014

OA No. 291/00712/2014

Ms. Kavita Bhati, counsel for applicant.

Heard learned counsel for the applicant.

2. The applicant has filed the present Original Application being aggrieved by the Posting-cum-Promotion Orders dated 13th October, 2014 (Annexure A/1) by which the applicant has been promoted from the post of UDC to the post of Assistant and has been posted from GE (I) (P) Jaipur to GE (N) Bikaner.

3. Learned counsel for the applicant argued that the applicant has been transferred during the mid-academic session. His daughter is studying at Jaipur. Moreover, his wife is also working at Jaipur in the Railways. Some similarly situated employees have been promoted In-situ whereas the applicant has been discriminated. Moreover, the applicant has completed his two hard tenure stations from 1984 to 1989 in CWE Bhuj and from 1999 to 2003 in GE (AE) Bhuj whereas the other employees whose names have been mentioned in para C of the grounds of the OA have never been transferred to hard tenure stations. Further, the applicant requested for a personal hearing but he was not given any personal hearing.

4. Having heard the submissions of the learned counsel for the applicant and after perusal of the documents on record, in the interest of justice, the Posting-cum-Promotion Orders dated 13th October, 2014 (Annexure A/1) and Movement

Anil Kumar

Order dated 18th December, 2014 (Annexure A/2), qua the applicant, shall remain stayed till 30th April, 2015 i.e. the end of the academic session.

5. Meanwhile, the respondent No. 3 (the Chief Engineer, Headquarters, Chief Engineer, South Western Command, PIN 908546, C/o 56 APO) shall give a personal hearing to the applicant and if respondent No. 3 is satisfied with the submissions made by the applicant then he would be at liberty to modify the Posting-cum-Promotion Orders dated 13th October, 2014 (Annexure A/1) and allow the applicant In-situ promotion at Jaipur. It is made clear that this order passed today shall not come in the way of the respondent No. 3 to accept the prayer of the applicant to retain him at Jaipur.

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

Anil Kumar
(ANIL KUMAR)
ADMINISTRATIVE MEMBER

Kumawat