

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH :::: GUWAHATI-5.

D.A. NO. 172 of 1997
T.A. NO.

DATE OF DECISION 6.8.1997

Shri A.S. Kumar

(PETITIONER(S))

Mr M.K. Choudhury and Mr S. Sarma

ADVOCATE FOR THE
PETITIONER(S)

VERSUS

Union of India and others

RESPONDENT (s)

Mr S. Ali, Sr. C.G.S.C.

ADVOCATE FOR THE
RESPONDENT (s)

THE HON'BLE MR JUSTICE D.N. BARUAH, VICE-CHAIRMAN
THE HON'BLE

1. Whether Reporters of local papers may be allowed to see the Judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the judgment ?
4. Whether the Judgment is to be circulated to the other Benches ?

Judgment delivered by Hon'ble Vice-Chairman



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No. 172 of 1997

Date of decision: This the 6th day of August 1997

(AT ADMISSION STAGE)

The Hon'ble Mr Justice D.N. Baruah, Vice-Chairman

A. Shawal Kumar,
JIO.I.WT
Subsidiary Intelligence Bureau,
Aizawl, Mizoram.Applicant

By Advocate Mr M.K. Choudhury and Mr S. Sarma.

- versus -

1. Union of India, represented by the
Secretary, Government of India,
Ministry of Home Affairs,
New Delhi.
2. The Director,
Intelligence Bureau,
Ministry of Home Affairs,
New Delhi.
3. The Deputy Director(E),
I.B. (H.Q.), New Delhi.
4. The Asstt. Director,
Subsidiary Intelligence Bureau,
Ministry of Home Affairs,
Aizawl, Mizoram.Respondents

By Advocate Mr S. Ali, Sr. C.G.S.C.

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O R D E R

BARUAH.J. (V.C.)

This application has been filed by the applicant challenging the order of transfer passed by the Assistant Director, Subsidiary Intelligence Bureau.

2. The case of the applicant is that he has been

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serving in Mizoram since 1994. As per the Presidential Memorandum dated 14.12.1983, a person serving in the North Eastern Region may have a choice of posting after he completes his tenure of three years. The applicant has already completed his tenure and he made a request to transfer him to Trivandrum. Instead, he has been now, by the impugned Annexure-D order of transfer dated 7.5.1997, transferred to Bhopal. Feeling aggrieved the applicant submitted Annexure-E representation dated 15.6.1997. However, the representation has not yet been disposed of. Hence the present application.

3. I have heard Mr M.K. Choudhury, learned counsel for the applicant and Mr S. Ali, learned Sr. C.G.S.C. appearing on behalf of the respondents.

4. On hearing the counsel for the parties I dispose of this application with a direction to respondent No.2 to dispose of the representation within a month from the date of receipt of this order. While disposing of the representation the respondent No.2 shall take into consideration the Presidential Memorandum dated 14.12.1983.

5. Till the disposal of the representation Annexure-D order of transfer dated 7.5.1997 shall remain suspended.

6. The application is accordingly disposed of. No order as to costs.


(D. N. BARUAH)
VICE-CHAIRMAN