

TRIBUNAL
MUMBAI-5.

of 1997

DATE OF DECISION.....18.3.1998

11 Shri Arunangshu Deb

(PETITIONER(S))

Mr M. Chanda

ADVOCATE FOR THE
PETITIONER(S)

VERSUS

Union of India and others

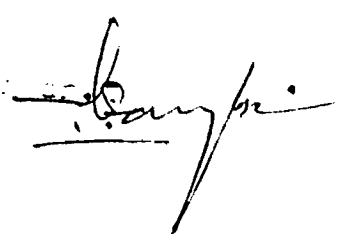
RESPONDENT(S)

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

THE HON'BLE MR G. L. SANGLYINE, ADMINISTRATIVE MEMBER

1. Whether Reporters of local papers may be allowed to see the Judgment ?
2. To be referred to the Reporter or not ? NO.
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 : Member



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No.89 of 1997

Date of decision: This the 18.3.1998

The Hon'ble Mr G.L. Sanglyine, Administrative Member

Shri Arunangshu Deb,
Field Assistant (General Duty),
JD - 14021 E,
Office of the Deputy Commissioner,
Government of India,
Special Bureau, Guwahati.
By Advocate Mr M. Chanda.

.....Applicant

-versus-

1. The Union of India, represented by
The Secretary to the Government of India,
Cabinet Secretariat,
New Delhi.
2. The Addl. Secretary (Pers),
Cabinet Secretariat,
Government of India,
New Delhi.
3. Shri Sundaram Krishna,
Addl. Commissioner, Special Bureau,
Government of India,
Shillong.
4. Shri P.K. Mathur,
Under Secretary (Pers II),
Cabinet Secretariat,
Government of India,
New Delhi.
5. Shri S. Chandrasekhar,
Deputy Commissioner, Special Bureau,
Government of India,
Guwahati.

.....Respondents

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

.....
O R D E R

SANGLYINE.J. (MEMBER)


The applicant is a Field Assistant (General Duty) under the office of the Deputy Commissioner, Government of India, Special Bureau, Guwahati. He was transferred from Special Bureau, Guwahati, to FIP, Barengapara, by office order No.08/96/GTY dated 4.7.1996, Annexure 1. He

had submitted representations against the order of transfer and in particular vide representation dated 21.8.1996, Annexure 11, he had requested for his transfer to Dhubri instead of FIP, Barengapara, on the ground of his wife's sickness. These representations had been rejected by the respondents vide letter dated 7.10.1996, Annexure 18 and letter dated 30.10.1996, Annexure 17. Hence this application.

2. Heard the learned counsel for both sides. Mr M. Chanda, learned counsel for the applicant, submits that the applicant is willing to be transferred out from Guwahati, but that the transfer order dated 4.7.1996 may be modified posting the applicant at Dhubri or any other place where there are medical facilities for treatment of his wife.

3. After hearing the counsel for both sides, I dispose of this application with a direction to the applicant to submit fresh representation to the competent authority of the respondents again praying for a change in place of his posting. This must be done within one month from today. Further, the respondents are directed that, if the representation is received, they shall consider the case of the applicant on merit and in accordance with their transfer policy, Annexure 26 of the original application. The respondents shall dispose of the representation with a speaking order within one month from the date of receipt of the representation.

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


(G. L. SANGLYINE)
MEMBER (A) 18/2/98