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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH :: GUWAHATI-5.

O.A.No. 250 of 1998

DATE OF DECISION. 8-1-1998.....

Dr.N.S.Chauhan

(PETITIONER(S))

Mr.M.Chanda and Mrs.N.D.Goswami

ADVOCATE FOR THE
PETITIONER(S)

VERSUS

Union of India & Ors.

RESPONDENT(S)

Mr.B.C.Pathak, Addl.C.G.S.C.

ADVOCATE FOR THE
RESPONDENTS.

THE HON. 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

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No. 250 of 98

Date of Order : This the 8th January 1999

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

President of the Central Administrative Tribunal

Dr.N.S.Chauhan

Son of Ram Prasad Singh Chauhan

Senior Medical Officer,

31 Assam Rifles, Lakhra

District-Sonitpur,

Assam, C/O 99 APO

... ... Applicant

By Advocate Mr.M.Chanda and Mrs.N.D.Goswami

-Vrs-

1. The Union of India
(Through the Secretary to the
Government of India, Ministry of Health
and Family Welfare).
New Delhi.
2. The Secretary to the Government of India,
Ministry of Home Affairs,
Government of India,
New Delhi.
3. The Director General of Assam Rifles,
Ministry of Home Affairs
Assam Rifles,
Shillong
4. The Deputy Director(Admn)
Assam Rifles
Shillong Respondents.

By Advocate Mr.B.C.Pathak, Addl.C.G.S.C.

O R D E R.

BARUAH J.(VC):

This application has been filed by the applicant seeking certain directions from this Tribunal and to allow the applicant for transfer to a place of his choice either C.H.S.Dispensary, Roorkee(UP),CHS Dispensary, Dehradun (UP) or C.H.S.Dispensary Barriely(Meerut, UP), from Lakhra(Sonitpur District). The applicant is a Sr.Medical Officer, under the Government of India,

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contd/-

Ministry of Health. The applicant was transferred to Assam Rifles and presently working there for a period of more than 3 years. As per office memorandum dated 14-12-93 issued by the Government of India, Ministry of Finance, if an employee is posted on transfer to Northeastern Region for a period of 3 years or more he has a right to get a transfer to a choice place of posting. Accordingly, he exercised his choice to CHS Dispensary, Roorkee, Dehradun or Barriely. He submitted representation. However, the applicant was not allowed to go on transfer to his choice place. Hence this present application.

I have heard Mrs. N. D. Goswami, learned counsel appearing on behalf of the applicant and Mr. B. C. Pathak learned Addl. C. G. S. C. Mrs. Goswami submits that in view of the office Memorandum the authority should allow his posting in a place of his choice. Mr. B. C. Pathak does not dispute the right of the applicant to be transferred to a place of his choice. On hearing the counsel for the parties I dispose of the application with a direction to the respondents to allow the applicant to move out from N.E. Region to a place of his choice in compliance with the office memorandum dated 14-12-1983 (Annexure 2)

The application is allowed. No costs.


(D.N. BARUAH)
VICE-CHAIRMAN