

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

O.A. No. .... 115 ..... of 1998.

DATE OF DECISION..... 17.12.1999.

Sri Nilmani Chakraborty.

PETITIONER(S)

Judgment delivered by Hon'ble

Sri A. Ahmed.

ADVOCATE FOR THE  
PETITIONER(S)

VERSUS-

Union of India & Ors.

RESPONDENT(S)

Sri B. S. Basumatary, Addl. C. G. S. C.  
CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

ADVOCATE FOR THE  
RESPONDENT(S)

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

THE HON'BLE

DATE OF DECISION.....

1. Whether Reporters of local papers may be allowed to see the  
judgment ? PETITIONER(S)

2. To be referred to the Reporter or not ?

3. Whether their Lordships wish to see the fair copy of the  
judgment ? ADVOCATE FOR THE

4. Whether the Judgment is to be circulated to the other Benches ?

Judgment delivered by Hon'ble Vice-Chairman

RESPONDENT(S)

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

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CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Application No. 115 of 1998.

Date of Order : This the 17th Day of December, 1999.

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

Sri Nilmani Chakraborty,  
Assistant Surveyor of Works (Civil)  
Office of the Executive Engineer(Civil)  
Civil Construction Wing.  
All India Radio,  
Tarun Nagar, Guwahati-5. . . . Applicant.

By Advocate Sri A. Ahmed.

- Versus -

Union of India & Ors. . . . Respondents.

By Advocate Sri B.S.Basumatary, Addl.C.G.S.C.

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O R D E R

BARUAH J. (V.C)

The applicant is an employee of the All India Radio, Civil Construction Wing. He belongs to Calcutta. He was transferred to the North Eastern Region and worked in Nagaland and thereafter in Guwahati since 1988. As per the Annexure-1 Office Memorandum dated 14.12.1983 on completion of 3 years in the North Eastern Region an employee is entitled to get a place of his choice posting. According to the applicant this was denied to him. He was kept in this region for about 11 years. In 1997 instead of transferring him out of North Eastern Region he was transferred to Itanagar. He submitted representation but the same has not yet been disposed of. Hence the present application.

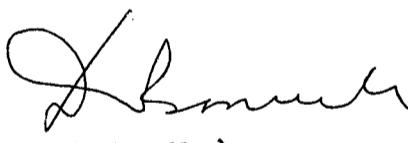
2. In due course the respondents have entered appearance and filed written statement. In the written statement the respondents have taken a ground that the applicant did



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not exercise his option indicating the choice place of posting. I feel this is too technical. Besides, after the order of transfer from Guwahati to Itanagar the applicant submitted a representation seeking his transfer to Calcutta, his original place of posting. In spite of that also the applicant was not given his choice place of posting. It is really surprising that on such technical ground the respondents denied the right which the Government of India confers on an employee by Office Memorandum dated 14.12.1983. Be that as it may, I dispose of this application with direction to the respondents to consider the prayer of the applicant and the applicant may give 3 places of his choice to the respondents within 15 days from today and on receipt of the same the respondents shall try to give the first place of posting, if possible, otherwise consider the other two. This must be done within one month from the date of receipt of the representation.

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



( D.N.BARUAH )  
VICE CHAIRMAN