

30/100  
**CENTRAL ADMINISTRATIVE TRIBUNAL**  
**GUWAHATI BENCH**  
**GUWAHATI-05**

(DESTRUCTION OF RECORD RULES, 1990)

**INDEX**

O.A/T.A No. 935/02.....

R.A/C.P No.....

E.P/M.A No.....

1. Orders Sheet O.A. 935/02 ..... Pg. .... 1 ..... to ..... 3
2. Judgment/Order dtd. 27/11/02 ..... Pg. .... No separate order Dismissed
3. Judgment & Order dtd..... Received from H.C/Supreme Court
4. O.A. .... 935/02 ..... Pg. .... 1 ..... to ..... 27
5. E.P/M.P. .... NIL ..... Pg. .... to.....
6. R.A/C.P. .... NIL ..... Pg. .... to.....
7. W.S. Submitted by the Respondents. Pg. .... 1 ..... to ..... 6
8. Rejoinder ..... Pg. .... to.....
9. Reply ..... Pg. .... to.....
10. Any other Papers ..... Pg. .... to.....
11. Memo of Appearance ..... Pg. .... to.....
12. Additional Affidavit ..... Pg. .... to.....
13. Written Arguments ..... Pg. .... to.....
14. Amendment Reply by Respondents ..... Pg. .... to.....
15. Amendment Reply filed by the Applicant ..... Pg. .... to.....
16. Counter Reply ..... Pg. .... to.....

SECTION OFFICER (Judl.)

FROM No. 4  
(SEE RULE 42 )

GENERAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH:

ORDER SHEET

Original Application No. 235 /2002

Mise Petition No. \_\_\_\_\_ /

Contempt Petition No. \_\_\_\_\_ /

Review Application No. \_\_\_\_\_ /

Applicant(s). Prigon Bishore Saha.

-Vs-

Respondent(s) MoI & OAS

Advocate for the Applicant(s) Mr. M. Chanda, H. Dutta  
Mr. A. Deb Roy,

Advocate for the Respondent(s) Sr. C.G.S.C.

Notes of the Registry	Date	Order of the Tribunal
	30.7.02	Heard Mr. M. Chanda, learned counsel for the applicant and also Mr. A. Deb Roy, learned Sr. C.G.S.C. for the Respondents.
7G 576554 27/7/2002 1/c Bombay 29/7/2002		Issue notice to show cause as to the application shall not be admitted. Also, issue notice to show cause as to why interim order as prayed for shall not be granted suspending the order of transfer dated 28.6.2002 so far the applicant is concerned transferring him to Bombay as Assistant Depot Manager. Returnable by three weeks.
NO 98ps		In the meantime, the operation of the order dated 28.6.2002 shall remain suspended till the returnable date. So far the transfer of the applic. is concerned. pendency of this application,
Recd copy P.R.J.	31/7/2002	Contd/-

Contd.  
30.7.02

Notices prepared and  
sent to D-Section for  
issuing of the same  
to the respondents  
through Road, post  
with A.P.D.

Vide D.No. 2205 to 2209.

~~BB~~

BB

5.7.02

Copy of the order

Dtd. 23.8.02 issued  
to the counsel of  
the parties.

BB  
8.9.02

bb

13.9.02

23.9.02

W/S Submitted  
by the Respondents

pg

BB  
27.9.02

Written statement has been filed.  
Case is ready for hearing. List for  
hearing on 15.11.02. In the meantime the  
applicant may file rejoinder if any,  
within two weeks. Interim order dated  
30.7.02 shall continue.

BB  
Member

Photocopies machine is out of  
order. Since the order is not  
communicated to the parties  
Contra. 10/10/02

lm

15/11/02 Due to urgent setting at Shilling,  
the case is adjourned to 27/11/2002.

Mr  
A.K.Jay  
15/11/02

Note of the Registry	Date	Order of the Tribunal
10/12/2002 Copy of the order has been sent to the D/Sec. for issuing the same to the L/Admrs for the parties. etc	27.11.02	<p>Heard Mr. M. Chanda learned counsel for the applicant and also Mr. A. Deb Roy, Sr. C.G.S.C. for the Respondents.</p> <p>Mr. A. Deb Roy has stated that the relief sought for by the applicant was already granted and the applicant's application for Voluntary retirement was accepted. The applicant was relieved with effect from 31.10.2002 (AN) with copy of the order dated 07th Nov. 2002 kept on record.</p> <p>The O.A. is thus dismissed as infructuous.</p> <p style="text-align: right;">Vice-Chairman</p>

5

Note of the Registry	Date	Order of the Tribunal

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH**

(An Application under Section 19 of the Administrative  
Tribunals Act, 1985)

Title of the case : O. A. No. 235 /2002  
 Sri Bijon Behari Saha : Applicant  
 - Versus -  
 Union of India & Others : Respondents.

**INDEX**

SL. No.	Annexure	Particulars	Page No.
01.	----	Application	13
02.	----	Verification	14
03.	I	Application dated 3.7.2002	-15-
04.	II	Forwarding letter dated 3.7.2002	-16-
05.	III	Order dated 28.6.2002	-17-
06.	IV	Application dated 10.7.2002	18-25
07.	V	Forwarding letter dated 10.7.2002	-26-
08.	VI	D.O. letter dated 23.7.2002	-27-

Filed by

Date : 30.07.2002

*Manik Chandra*  
Advocate

*Bijon Behari Saha*

X

1  
Filed by the applicant  
Prakash M. Chakla Adv.  
Delhi

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL**  
**GUWAHATI BENCH: GUWAHATI**

(An Application under Section 19 of the Administrative  
Tribunals Act, 1985)

O. A. No. .... /2002

**BETWEEN**

Bijon Behari Saha  
Son of Late G.M.Saha  
Asstt. Depot Manager  
Govt. Medical Store Depot,  
A.K.Azad Road,  
P.O. Gopinath Nagar,  
Guwahati-781016

...Applicant

**-AND-**

1. The Union of India,  
Represented by the Secretary to the  
Government of India, Ministry of  
Health and Family Welfare,  
New Delhi.
2. The Director General of Health Services,  
Government of India,

Bijon Behari Saha

Medical Stores Organisation,

West Block No.1, Wing No.-6,

R.K.Puram, New Delhi-110066.

3. The Addl. Director General (STS)

Directorate General of Health Services,

(M.S.O.) West Block No.1,

Wing No.6, R.K.Puram

New Delhi-110066

4. The Deputy Director Admin. (MSO)

Directorate General of Health Services,

(M.S.O), West Block-1,

Wing No.6, R.K.Puram

New Delhi-110066

5. Shri S.V. Patel,

Asstt. Depot Manager,

Government Medical Store Depot,

Mumbai

**...Respondents.**

### **DETAILS OF THE APPLICATION**

#### **1. Particulars of order(s) against which this application is made.**

This application is made against non-consideration of the prayer of voluntary retirement of the applicant as provided under Rule 48 of CCS Pension Rules and against the impugned order No. A 22020/2/2001-Store-1 dated 28.6.2002

*Bijan Behari Saha*

issued by the Respondent No.4 seeking to transfer the applicant from Guwahati to Mumbai, ignoring the physical inability of the applicant and where his remaining period of service is less than even three years before his normal superannuation and as such the applicant is praying for a direction upon the respondents for acceptance of the prayer of voluntary retirement of the applicant and to stay the operation of the impugned order of transfer dated 28.6.02 till such time the applicant is released on voluntary retirement.

**2. Jurisdiction of the Tribunal.**

The applicant declares that the subject matter of this application is well within the jurisdiction of this Hon'ble Tribunal.

**3. Limitation.**

The applicant further declares that this application is filed within the limitation prescribed under section-21 of the Administrative Tribunals Act, 1985.

**4. Facts of the Case.**

4.1 That the applicant is a citizen of India and as such he is entitled to all the rights, protections and privileges as guaranteed under the Constitution of India.

*Bojan Behari Saha*

4.2 That your applicant was initially appointed in the Government Medical Store Depot (for short GMSD) on 06.11.1965 and posted at Guwahati under the respondents. Subsequently he was promoted to the post of Assistant Depot Manager with effect from 16.9.1997 and is still continuing in the said post at Guwahati Depot of the GMSD.

4.3 That since his joining in the year 1965, the applicant has been serving with all his abilities and dedication and to the best satisfaction of his superiors, with all expectation and zeal for completion of a smooth and successful full tenure of service till his retirement on superannuation. But unfortunately, since last couple of years, he has been suffering from various ailments including chronic Bronchitis with hypertension and his health has been gradually deteriorating with various physical problems in one or the other form. He has also been implanted with artificial hearing aid device due to his hearing problem and is now physically unable to do justice to his works. This apart, his wife is completely bed-ridden due to acute Tubulo intestinal Nephritis and requires constant nursing and care and is under constant medical treatment. Unfortunately, the applicant has to take care of his own ailments and also to attend his sick wife single handed and there is none else in his family to share his present burden, and as

*Bijan Behari Saha*

a result, the applicant is now seriously constrained to attend to or concentrate on his official works. His only son, being employed is not with them and is working at Attabari Tea Estate in Sibsagar.

4.4 That being circumstanced thus, the applicant finding no other way, had to decide to retire voluntarily from service as per the provision under Rule 48 of CCS Pension Rules and accordingly submitted on 03.07.2002 an application/Notice in terms of Rule 48 of CCS Pension Rules to the Respondent No.2 stating his position and requesting to allow him to retire voluntarily with effect from 31st October, 2002. The said application was duly recommended and forwarded by the Joint Director, C.G.H.S. & in charge GMSD, Guwahati vide his forwarding letter No. Admn/164/BBS/2002/227 dated 03.07.2002 requesting for immediate necessary action of the Directorate to enable the applicant to retire by October, 2002.

Copy of application dated 03.07.2002 and forwarding letter dated 03.07.2002 are annexed hereto as **Annexure-I and II** respectively.

4.5 That on 09.07.2002, the applicant all on a sudden, received one impugned order No. A 22020/2/2001-Store-I dated 28.6.02 issued by the Respondent No.4 seeking to transfer the applicant from Guwahati to Mumbai along with some other Asstt. depot Managers of the G.M.S.D.

*Bojan Behari Saha*

Copy of order dated 28.6.02 is annexed hereto as  
**Annexure-III.**

4.6 That the applicant thereafter submitted one representation on 10.07.2002 to the Respondent No.2 appraising him of his precarious condition and praying for acceptance of his voluntary retirement and further praying for allowing him to continue at Guwahati till acceptance of his voluntary retirement. His representation, accompanied by all relevant medical records was duly recommended and forwarded by the Joint Director, CGHS, Guwahati & in charge GMSD, Guwahati vide his forwarding letter No. Admn/164/BBS/2002/254 dated 10.07.2002 endorsing his no objection also. The Joint Director, CGHS, Guwahati and in charge GMSD, Guwahati further addressed one D.O. letter No. Admn/164/BBS/282 dated 23.07.2002 to Respondent No.3 requesting for sympathetic consideration of the case of the applicant and acceptance of his Voluntary retirement as a genuine case, and further for retaining him at Guwahati Depot in view of his serious constraints.

Copy of application dated 10.07.2002 along with medical records, forwarding letter dated 10.07.2002 and D.O. letter dated 23.07.02 are annexed hereto as  
**Annexure-IV, V and VI** respectively.

*Bijan Behari Saha*

4.7 That the applicant has now learnt from reliable sources that the local office of the applicant has been telephonically instructed to relieve the applicant from Guwahati Depot immediately and the applicant is apprehending his release at any time and as such, finding no other alternative, the applicant is approaching the Hon'ble Tribunal for protecting the rights and interests of the applicant by staying the operation of the impugned order of transfer dated 28.6.2002 and further directing the respondents to accept the prayer of voluntary retirement of the applicant, thus saving the applicant and his family from an imminent disaster.

4.8 That your applicant begs to submit that he has already rendered 37 years of satisfactory and unblemished service under the respondents and is now praying for voluntary retirement as per provision of Rule 48 of CCS Pension Rules and that too being constrained under unavoidable circumstances as stated in para 4.3 above. Surprisingly the respondents instead of considering his case sympathetically is insisting on his transfer from Guwahati which will further accentuate his problems. It is relevant to mention here that the applicant is due to retire on superannuation in April, 2005 and as such his remaining period of service is less than even three years and he is now being humiliated by way of the impugned transfer at this fag end of his service tenure

when he has decided to go on voluntary retirement for his survival as well as for the benefit of the department. The 5th Central Pay Commission has also considered this aspect and has recommended that a person who remaining service is less than three years should not be disturbed by way of transfer unless it is sought for by the incumbent. But in the instant case, the case of the applicant has not been considered in the light of the recommendation of the 5th Central Pay Commission even after the applicant has rendered dedicated and valuable services for long 37 years under the respondents and has now been praying for voluntary retirement under compelling situation only.

Further, the impugned transfer order dated 28.6.02 is an order of regular transfer only covering a group of Assistant Depot managers and is not in the interest of Public or any Special Circumstances which warrants the shifting of the applicant from Guwahati. It is evident from the impugned order dated 28.06.02 that one Sri S.V. Patel, Respondent No.5 has been transferred from Mumbai to Guwahati and the applicant has been transferred from Guwahati to Mumbai which is just a routine changing over only and as such there is no difficulty for the respondents to retain the applicant at Guwahati Depot till his voluntary retirement materializes and allow him to go on voluntary retirement from October, 2002 as prayed for.

Bijan Behari Saha

4.9 That your applicant begs to submit that due to non-consideration of his prayer of voluntary retirement and further issuance of the impugned transfer order, the applicant is being pushed into a dangerous situation with both himself and his wife having been physically distressed and as such finding no other alternative, the applicant is approaching this Hon'ble Tribunal for protection of his legitimate rights and interests and further praying for a direction upon the respondents to accept and grant the prayer of voluntary retirement of the applicant and to allow the applicant to continue at Guwahati Depot of the GMSD till his retirement.

4.10 That this application is made bonafide and for the cause of justice.

**5. Grounds for relief(s) with legal provisions.**

5.1 For that, the applicant has already rendered services for 37 years and is entitled for voluntary retirement as per the provisions under Rule 48 of the CCS Pension Rules.

5.2 For that, the applicant has been suffering from various ailments and his wife is also bed-ridden with serious ailments, requiring constant nursing and care for which there is none in the family other than the applicant himself and he has to

*Bojani Behari Saha*

take care of his own ailments as well as that of his wife.

5.3 For that, the applicant has applied for voluntary retirement under distressing circumstances only.

5.4 For that, the remaining period of service of the applicant is less than three years and thus being at the fag end of his tenure, his proposed transfer from Guwahati to Mumbai is violative of the recommendation of the 5th Central Pay Commission, more so, when the applicant has applied for voluntary retirement prior to the receipt of the impugned transfer order.

5.5 For that, the impugned order of transfer is neither in the public interest nor under any special necessity but only a routine change over shifting the applicant from Guwahati to Mumbai and with the similar shifting of the Respondent No.5 from Mumbai to Guwahati in place of the applicant which is out and out an unnecessary exercise.

5.6 For that, the applicant has approached submitted representation praying for consideration of his voluntary retirement and allowing him to stay at Guwahati depot till such retirement but to no result.

Bijan Behari Saha

5.7 For that the non-consideration of the prayer of voluntary retirement of the applicant at this distressed stage and further issuance of the impugned transfer order aforesaid seeking to push the applicant to further distressing condition is unfair, arbitrary, unjust and violative of the principles of natural justice.

6. Details of remedies exhausted.

That the applicant states that he has exhausted all the remedies available to him and there is no other alternative and efficacious remedy than to file this application. Representations and approaches made by the applicant to the respondents could not yield any result.

7. Matters not previously filed or pending with any other Court.

The applicant further declares that he had not previously filed any application, Writ Petition or Suit before any Court or any other authority or any other Bench of the Tribunal regarding the subject matter of this application nor any such application, Writ Petition or Suit is pending before any of them.

Bojan Behari Saha

8. Relief(s) sought for:

Under the facts and circumstances stated above, the applicant humbly prays that Your Lordships be pleased to admit this application, call for the records of the case and issue notice to the respondents to show cause as to why the relief(s) sought for in this application shall not be granted and on perusal of the records and after hearing the parties on the cause or causes that may be shown, be pleased to grant the following relief(s):

- 8.1 That the respondents be directed to grant voluntary retirement of the applicant with effect from 31st October, 2002 as prayed for, under Rule 48 of CCS Pension Rules.
- 8.2 That the impugned order of transfer issued under No. A 22020/2/2001-Store-1 dated 28.6.02 be set aside and quashed.
- 8.3 Costs of the application.
- 8.4 Any other relief(s) to which the applicant is entitled as the Hon'ble Tribunal may deem fit and proper.

*Bijan Behari Saha*

9. Interim order prayed for.

During pendency of this application, the applicant prays for the following relief: -

That the Hon'ble Tribunal be pleased to stay the operation of the impugned order of transfer dated 28.6.02 till this O.A. is decided by the Hon'ble Tribunal.

10. ....

This application is filed through Advocates.

11. Particulars of the I.P.O.

- i) I. P. O. No. 76576554.
- ii) Date of Issue : 27.7.2002,
- iii) Issued from : G.P.O., Guwahati.
- iv) Payable at : G.P.O., Guwahati.

12. List of enclosures.

As given in the index.

Bijan Behari Saha

VERIFICATION

I, Shri Bijon Behari Saha, Son of Late G.M. Saha, aged about 57 years, working as Asstt. Depot Manager, Government Medical Store Depot, A.K.Azad Road, P.O. Gopinath Nagar, Guwahati-781016, do hereby verify that the statements made in Paragraph 1 to 4 and 6 to 12 are true to my knowledge and those made in Paragraph 5 are true to my legal advice and I have not suppressed any material fact.

And I sign this verification on this the 30th day of July, 2002.



Signature

To,  
The Director General of  
Health Services,  
(Medical Stores Organisation),  
West Block No.1, Wing No.6,  
R.K.Puram, New Delhi-110 006.

(Through Jt. Director, CGHS & Incharge Govt. Medical  
Store Depot, Guwahati)

Sub :- Notice in terms of Rule 48 of CCS (Pension Rules)  
for Voluntary Retirement.

Sir,

I, the undersigned working as Asstt. Depot Manager  
in the Govt. Medical Store Depot, Guwahati, request you to  
permit me retire voluntarily under Rule 48 CCS (Pension  
Rules) w.e.f. 31st Oct '02 due to unforeseen domestic  
troubles as my wife is bedridden due to Chronic ailment  
and as there are none to look after her. Moreover my  
wholetime presence at home is very much required.

I, therefore, request you to kindly accept my  
appeal as early as possible.

Dated - Guwahati  
the 3rd July 2002.

Yours Faithfully,

B. B. SAHA

( B. B. SAHA )  
Asstt. Depot Manager  
Govt. Medical Store Depot  
Guwahati.

3.7

Grami MEDSTORE

FAX No: 0361-65214

Telec. No: 2352234 GMSD IN

P.D. No:

GOVERNMENT OF INDIA

Ministry of Health &amp; Family Welfare

Directorate General of Health Services

## GOVERNMENT MEDICAL STORE DEPOT

A. K. AZAD ROAD, GOPINATH NAGAR, GUWAHATI-781016

No. Admin/164/BBS/2002/227

2002

To,

The Addl. Director General (Sts.),  
 Dte. General of Health Services,  
 (M.S.O.), West Block No.1,  
 Wing No.6, R.K. Puram,  
 New Delhi-110 066.

Sub :- Forwarding of application dt. 3.7.02 for Voluntary  
 Retirement of Shri B.B. Saha, Asstt. Depot Manager,  
 GMSD, Guwahati.

Sir,

An application dt. 3.7.02 received from Shri B.B. Saha,  
 Asstt. Depot Manager of this depot which is self explanatory  
 is forwarded for information and immediate necessary action  
 of the Dte. to enable the officer to retire by Oct '02.

Yours faithfully,

Enclo :- As stated  
above.It. Director, CGHS & Incharge  
GMSD, Guwahati.

18/09/02  
 03/09/02

R.E. Puram, Block Dholi  
 Dated the 28<sup>th</sup> June, 2002

To

The DDX/ADG/CMO/JL, Director/DADG,  
 Government Medical Store Depot  
 Karnal, Hyderabad, New Delhi, Kolkata, Mumbai, Guwahati & Chennai.

Subject: Transfer/Posting of Asstt. Depot Managers of GMMSD.

Sir:

The following transfer/posting of Asstt. Depot Managers of Government Medical Store Depots is made with immediate effect:

S.No.	Name	From	To
1	Sh. Manoj Kumar	Karnal	MSO (HQrs)
2	Sh. Venkata Ratnam	Hyderabad	Chennai
3	Sh. C.S. Sinha	Karnal	Hyderabad
4	Sh. R.K. Yadav	New Delhi	Karnal
5	Sh. P.B. Mandal	New Delhi	Kolkata
6	Sh. Sahatu Ram	Kolkata	New Delhi
7	Sh. S.V. Patel	Mumbai	Guwahati
8	Sh. B.B. Saha	Guwahati	Mumbai
9	Sh. S.K. Biswas	Guwahati	Kolkata
10	Sh. G.C. Tudu	Kolkata	Guwahati
11	Sh. K.L. Nayak	Mumbai	New Delhi
12	Sh. B.L. Bhownik	MSO (HQ)	Mumbai
13	Sh. K.S. Muthu	Chennai	Karnal
14	Sh. K.R. Patel	Mumbai	Chennai

2. However, S/Shri R.K. Yadav, P.B. Mandal, S.V. Patel, K.L. Nayak, & K.R. Patel, Asstt. Depot Managers have been assigned non-sensitive jobs, they may be assigned non-sensitive jobs only.

3. This has the approval of D.G.H.S.

Yours faithfully,

(Hukam Chand)

By Director Admin (MSD)

Copy to:

- P.A.O., AIIMS/PW, Safdarjung Hospital, New Delhi
- P.A.O./AIIMS/PW, Rajaji Bhawan, Chennai
- P.A.O./DCIS, Nirmal Bhawan, New Delhi
- P.A.O./AIIMS/Kolkata
- Directorate of Health Services, Guwahati
- Comptroller Officer

ATTESTED

*Asstt. Depot Manager,  
 Govt. Medical Store Depot,  
 Guwahati.*

(A. Manta)

Asstt. Depot Manager,  
 Govt. Medical Store Depot

Guwahati.

To,

The Director General of  
Health Services,  
(Medical Stores Organisation),  
West Block No.1, Wing No.6,  
R.K.Puram, New Delhi-110 066.

(Through Jt.Director, CGHS & Incharge GMSD Guwahati)

Sub :- Transfer/posting of Asstt.Depot Manager of GMSDs.

Ref :- My Voluntary Retirement application dated 3rd July, 2002.

Sir,

I have the honour to bring to you the following few lines for favour of your kind information and sympathetic consideration please.

That's Sir, my wife has been suffering from Chronic ailments since long time and recently her health condition was so deteriorated that I was compelled to admit her in the Hospital in order to save her life and at present she is completely bed ridden and is under going medical treatment as per Doctor's advice.

As there is none to look after her and my only son is also in service out of Guwahati, I found no alternative but to decide to go on Voluntary Retirement w.e.f. 31st Oct, 2002 for sake of her life and accordingly I submitted the notice of Voluntary Retirement in terms of Rule 48 of CCS (Pension Rules) on 3.7.2002.

Meanwhile Dte. transfer order bearing No.A.22020/2/2001-Store-I dt. 28th June, 2002 has been received by me on 9.7.2002 directing me to join in GMSD, Mumbai.

That's Sir, at this crucial moment I am not in a position to move for GMSD, Mumbai as my presence at home to look after my ailing wife is most essential as there is none to stand by her side in case of emergency.

In this connection I am enclosing all the xerox copies of relevant records of medical treatment of my wife for favour of your kind perusal.

In this circumstances stated above which is beyond my control I would fervently request you to kindly accept my Voluntary Retirement application dated 3.7.2002 and settle my case at the earliest. Also kindly allow me to continue my service at GMSD, Guwahati till my Voluntary Retirement is accepted by the Directorate for which act of your kindness I shall remain grateful to you and oblige.

Yours faithfully,

Enclo :- As stated  
above.

Dated - Guwahati

The 10th July 2002.

P. B. Saha  
( P. B. SAHA )  
Asstt. Depot Manager  
GMSD, Guwahati.

## INTERNATIONAL HOSPITAL

(A UNIT OF ASSAM HOSPITALS LTD.)

'LOTUS TOWER', G.S. ROAD, GUWAHATI - 781 005

Tel : 222560, 222561, 222720, 266157, Fax : (0361)269936

## DISCHARGE CERTIFICATE

NAME OF THE PATIENT ..... Kas Monisha Daha ..... AGE ..... 48 yrs. SEX ..... F. M.R.T. ....  
 HOSPITAL NO. ..... 16 L 12091 ..... I.D. No. 50173111 I.R.N. 43936 .....  
 DATE OF ADMISSION ..... 18.5.02 ..... DATE OF DISCHARGE ..... 19.5.02 .....  
 PERMANENT ADDRESS ..... C/o. Mr. B.B. Daha, Kali Upala, Shankar Nagar .....  
 CONSULTANT ..... Dr. T. Das MD DM .....

CLINICAL NOTES & HISTORY : A 45 yrs old Mrs Daha, ~~post~~ non diabetic, non hypertensive with history of 0.7 yrs presented with generalised weakness, swelling of legs and feet.

O/E:

Pallor +

Edema +

Pulse: 92/min

BP: 130/80 mmHg

Chest: Clear

C/S: S. +

P/R: Reg/Per

C/S: WNL

ADVICE

## INVESTIGATIONS

TC: 12,400/mm<sup>3</sup>

Hb: 112, Hb: 52

HbA1c: 7.8 gm%

ESR: 110 mm/60 min

Creat: 3.8 mg%

RESIDENT

SCHOLARSHIP

CONSULTANT

B.N.S

P.T.O.

ATTESTED

form 26/2002

(A. Manta)

Asstt. Depot Manager  
Inv. Medical Store Depot  
Guwahati.

DIAGNOSIS:

ACUTE TUBULO INTERSTITIAL NEPHRITIS

TREATMENT:

AGE

Renal Biopsy done

NAME OF THE PATIENT

15/03/1980

DATE OF BIRTH

HOSPITAL NO.

18/2/80

DATE OF ADMISSION

Blood transfusion done

PERMANENT NUMBER

13.3.80

Dr. L. S. Deo

CONSULTANT

D. L. S. Deo

CLINICAL HISTORY:

1. Jaundice

2. Nausea

3. Vomiting

4. Fever

5. Headache

6. Loss of appetite

7. Backache

8. Edema

9. Proteinuria

10. Hematuria

11. Leucocytosis

12. Thrombocytopenia

13. Hypertension

14. Anemia

15. Proteinuria

16. Hematuria

17. Leucocytosis

18. Thrombocytopenia

19. Hypertension

20. Anemia

21. Proteinuria

22. Hematuria

23. Leucocytosis

24. Thrombocytopenia

25. Hypertension

26. Anemia

27. Proteinuria

28. Hematuria

29. Leucocytosis

30. Thrombocytopenia

31. Hypertension

32. Anemia

33. Proteinuria

34. Hematuria

35. Leucocytosis

36. Thrombocytopenia

37. Hypertension

38. Anemia

39. Proteinuria

40. Hematuria

41. Leucocytosis

42. Thrombocytopenia

43. Hypertension

44. Anemia

45. Proteinuria

46. Hematuria

47. Leucocytosis

48. Thrombocytopenia

49. Hypertension

50. Anemia

51. Proteinuria

52. Hematuria

53. Leucocytosis

54. Thrombocytopenia

55. Hypertension

56. Anemia

57. Proteinuria

58. Hematuria

59. Leucocytosis

60. Thrombocytopenia

61. Hypertension

62. Anemia

63. Proteinuria

64. Hematuria

65. Leucocytosis

66. Thrombocytopenia

67. Hypertension

68. Anemia

69. Proteinuria

70. Hematuria

71. Leucocytosis

72. Thrombocytopenia

73. Hypertension

74. Anemia

75. Proteinuria

76. Hematuria

77. Leucocytosis

78. Thrombocytopenia

79. Hypertension

80. Anemia

81. Proteinuria

82. Hematuria

83. Leucocytosis

84. Thrombocytopenia

85. Hypertension

86. Anemia

87. Proteinuria

88. Hematuria

89. Leucocytosis

90. Thrombocytopenia

91. Hypertension

92. Anemia

93. Proteinuria

94. Hematuria

95. Leucocytosis

96. Thrombocytopenia

97. Hypertension

98. Anemia

99. Proteinuria

100. Hematuria

101. Leucocytosis

102. Thrombocytopenia

103. Hypertension

104. Anemia

105. Proteinuria

106. Hematuria

107. Leucocytosis

108. Thrombocytopenia

109. Hypertension

110. Anemia

111. Proteinuria

112. Hematuria

113. Leucocytosis

114. Thrombocytopenia

115. Hypertension

116. Anemia

117. Proteinuria

118. Hematuria

119. Leucocytosis

120. Thrombocytopenia

121. Hypertension

122. Anemia

123. Proteinuria

124. Hematuria

125. Leucocytosis

126. Thrombocytopenia

127. Hypertension

128. Anemia

129. Proteinuria

130. Hematuria

131. Leucocytosis

132. Thrombocytopenia

133. Hypertension

134. Anemia

135. Proteinuria

136. Hematuria

137. Leucocytosis

138. Thrombocytopenia

139. Hypertension

140. Anemia

141. Proteinuria

142. Hematuria

143. Leucocytosis

144. Thrombocytopenia

145. Hypertension

146. Anemia

147. Proteinuria

148. Hematuria

149. Leucocytosis

150. Thrombocytopenia

151. Hypertension

152. Anemia

153. Proteinuria

154. Hematuria

155. Leucocytosis

156. Thrombocytopenia

157. Hypertension

158. Anemia

159. Proteinuria

160. Hematuria

161. Leucocytosis

162. Thrombocytopenia

163. Hypertension

164. Anemia

165. Proteinuria

166. Hematuria

167. Leucocytosis

168. Thrombocytopenia

169. Hypertension

170. Anemia

171. Proteinuria

172. Hematuria

173. Leucocytosis

174. Thrombocytopenia

175. Hypertension

176. Anemia

177. Proteinuria

178. Hematuria

179. Leucocytosis

180. Thrombocytopenia

181. Hypertension

182. Anemia

183. Proteinuria

184. Hematuria

185. Leucocytosis

186. Thrombocytopenia

187. Hypertension

188. Anemia

189. Proteinuria

190. Hematuria

191. Leucocytosis

192. Thrombocytopenia

193. Hypertension

194. Anemia

195. Proteinuria

196. Hematuria

197. Leucocytosis

198. Thrombocytopenia

199. Hypertension

200. Anemia

201. Proteinuria

202. Hematuria

203. Leucocytosis

204. Thrombocytopenia

205. Hypertension

206. Anemia

207. Proteinuria

208. Hematuria

209. Leucocytosis

210. Thrombocytopenia

211. Hypertension

212. Anemia

213. Proteinuria

214. Hematuria

215. Leucocytosis

216. Thrombocytopenia

217. Hypertension

218. Anemia

219. Proteinuria

220. Hematuria

221. Leucocytosis

222. Thrombocytopenia

223. Hypertension

224. Anemia

225. Proteinuria

226. Hematuria

227. Leucocytosis

228. Thrombocytopenia

229. Hypertension

230. Anemia

231. Proteinuria

232. Hematuria

233. Leucocytosis

234. Thrombocytopenia

235. Hypertension

236. Anemia

237. Proteinuria

238. Hematuria

239. Leucocytosis

240. Thrombocytopenia

241. Hypertension

242. Anemia

243. Proteinuria

244. Hematuria

245. Leucocytosis

246. Thrombocytopenia

247. Hypertension

248. Anemia

249. Proteinuria

250. Hematuria

251. Leucocytosis

252. Thrombocytopenia

253. Hypertension

254. Anemia

255. Proteinuria

256. Hematuria

257. Leucocytosis

258. Thrombocytopenia

259. Hypertension

260. Anemia

261. Proteinuria

262. Hematuria

263. Leucocytosis

264. Thrombocytopenia

265. Hypertension

266. Anemia

267. Proteinuria

268. Hematuria

269. Leucocytosis

270. Thrombocytopenia

271. Hypertension

272. Anemia

## INTERNATIONAL HOSPITAL

(A UNIT OF ASSAM HOSPITALS LTD.)

'LOTUS TOWER', G. S. ROAD, GUWAHATI - 781 005

Tel : 222560, 222561, 222720, 266157, Fax : (0361)269936

## DISCHARGE CERTIFICATE

NAME OF THE PATIENT ... Monisha Daha .. AGE ... 48 yrs. SEX ... F M/F

HOSPITAL NO. I HL-11900 I.R.N. 85/P.2

DATE OF ADMISSION ... 6/5/02 DATE OF DISCHARGE ... 10/5/02

PERMANENT ADDRESS C/o B. B. Daha, Bleskar Nagar, Kakapara, Guwahati - 18

CONSULTANT Dr. S. B. Das M.D. D.N.B., Dr. H. Boritkuri M.D.

CLINICAL NOTES & HISTORY : Patient, a 48 yrs old female, non diabetic, non smoker, post cholecystectomy status. Presented to IHL with -

1. Loose stool / 8-10 times for 1 day.
2. Vomiting
3. Weakness.

4. Urine output was reportedly adequate.

On examination - She was afebrile, dehydrated. Had Pulse - 40/min R, BP - 100/60 mmHg. Axillary temperature was 37.5°C. Chest, CVS, NS - clinically insignificant. Abdomen - Epigastric tenderness. Liver, spleen, lymph nodes - not palpable. Investigation showed - Sputum with St. shift, moderate renal insufficiency. She was managed conservatively on antibiotics and supportive care. Her blood parameters have normalized and she is being discharged with advice of OPD follow up.

## INVESTIGATIONS :

8/5/02	TC - 12, 700/cmm	SGOT - 39 U/L	8/5/02	TC - 11, 900/cmm
	DLC - 87 <sub>7</sub> P <sub>2</sub> L <sub>14</sub> M <sub>2</sub> E <sub>12</sub>	SGPT - 56 U/L		DLC - 79 <sub>4</sub> P <sub>18</sub> M <sub>6</sub> E <sub>6</sub>
	ESR - 88 mm HEPH	SAP - 112 U/L		Nat - 140 meq/l
	Hb - 12.0 gm%	Nat - 1.37 meq/l		K <sup>+</sup> - 4.6 meq/l
	(RBS - 288 mg/dl)	K <sup>+</sup> - 3.8 meq/l		Creat - 2.8 mg/dl
	Urea - 46 mg/dl	T. Prot - 7.7 G/dl		CONCENTRATION
	Creat - 1.8 mg/dl	Alb - 4.0 G/dl		
		Glob - 3.7 G/dl		
		T. Bil - 0.9 mg/dl		

BNS

## ATTESTED

Form No. 2702  
(A. Manta)Asstt. Depot Manager  
Inv. Medical Store Depot  
Guwahati.

DIAGNOSIS

Acute gastroenteritis with azotemia

Lotus Tower, G-2 Road, Guwahati - 781 006

DISCHARGE

TREATMENT: *Antibiotics* NAME OF THE PATIENT

- *Supportives* HOSPITAL NO. 11811

DATE OF DISCHARGE

PERMANENT ADDRESS

CONSULTANT

CLINICAL NOTES & HISTORY

1. Diarrhoea - 10 days

2. Vomiting - 5 days

3. Fever - 3 days

4. Loss of weight - 2 kg

5. Loss of appetite

6. Faintness

7. Headache

8. Nausea

9. Drowsiness

10. Loss of consciousness

ADVICE: Tab. Alcipro - 500 mg tab. 1-2 after food n. 2 days more

Diet - as able

Maintain restricted fluid intake, avoid fruits & fruit juices

Review after 2 days / SOS

on Review: S. Crostini

INVESTIGATIONS

Signature

*SD*

Signature

*(Signature)*  
10/10/02

CONSULTANT

RESIDENT

REPORT

C000000415

NAME AND ADDRESS :

DEA  
MIR MARKET, PALTAN BAZAR,  
WAHATI - 781 008

SSAM, INDIA Ph. No.: 0361 518 562,602 527



CLINICAL REFERENCE LABORATORIES

Plot 113, MIDC, 15th Street, Andheri (East), Mumbai 400 093.

Tel.: 690 3861 Fax: 690 3865

REFERRING DOCTOR DR. TONMOY DAS

VN 20/05/2002

RECEIVED 22/05/2002

REPORTED 27/05/2002 15:02

PATIENT NAME SAHA MONISHA

CLIENT PATIENT ID: 12594

SESSION NO. 0002BE031810

AGE 48 Years SEX Female DATE OF BIRTH

PATIENT ID

CLINICAL INFORMATION

REPORT STATUS FINAL

## RESULTS

IN RANGE

OUT OF RANGE

REFERENCE RANGE

UNITS

## SMALL TISSUE BIOPSY(HISTOPATHOLOGY)

SPECIMEN

- KIDNEY BIOPSY.
- RECEIVED LINEAR GREY TISSUE CORE MEASURING 1 X 0.1 CMS.

GROSS

MICROSCOPIC EXAMINATION

- PARAFFIN SECTIONS STAINED WITH H&E AND PAS SHOW TOTAL SIXTEEN GLomeruli, ALL ESSENTIALLY NORMAL. INTERSTITIUM IS EDEMATOUS AND SHOWS MODERATE FOCAL AND DIFFUSE LYMPHOCYTIC AND NEUTROPHILIC EXUDATE WITH TUBULITIS. THERE IS FOCAL TUBULAR DAMAGE WITH CLUSTERS OF NEUTROPHILS IN THE TUBULAR LUMINA. ARTERIOLES ARE ESSENTIALLY NORMAL.

## INTERPRETATION

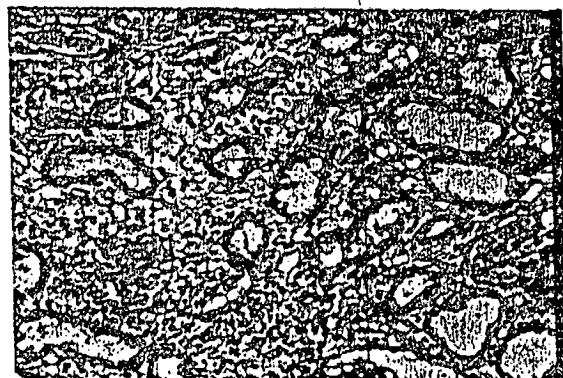
DIAGNOSIS

- KIDNEY BIOPSY:  
ACUTE TUBULO-INTERSTITIAL NEPHRITIS.

## PHOTO(BIOPSY)

PHOTO

SEE BELOW



A. MONISHA

24/5/02  
(A. Monisha)

Asstt. Depot Manager,  
Govt. Medical Store Depot  
Guwahati.



Sadhan Das, M.D.  
Diplomate National Board (Med.)  
INTERNIST

MONISHA SAHA. 48: ♀

7.5.02	8.5.02
TC - 17,700	9900
creat 3.8	1.3
(11.5.02)	

F.U. case: Enteric Sepsis.  
Acute Renal failure - Resolving.  
↑ RBS.

40 nausas, vomiting.

P: 100/min BP 140/80.

- 1) OGD 20: twice daily
- 2) 004-0710: twice daily before meals.
- 3) Tab. ALUPRO 500: daily x 5 days

Or TC, OLG, creat. FBS, PPBS.

### Review

SD  
12.5.2002

15.5.02

TC 12,400.

P 63, R 12, H 3, E 2

Hb 7.8.

ESR 110.

FBS 77

PPBS 106

creatinine 3.8

poor diarrhoea Acute Renal failure.

↓ Systemic Sepsis.

TC 17,700. P 70/min. Hb 12. ESR 38. (7.5.02)

responded to conservative Rx.

creatinine ↓ from 3.2 (7.5.02) to 1.7 (11.5.02)

TC normalized to 9900 P 70/min on 8.5.02

↓ TC normalized to 9900 P 70/min on 8.5.02

After discharge.

On follow up. recurrence of fever.

Since 14.5.2002. ↓ shift.

TC ↑ trend. esp shift. Hb 7.8 ESR 110.

creat ↑ 3.8.

OGD - 100 ml. 100/min 130/70.

DLT - 100 ml. 100/min neg. Urine (1)

abdo - no organopathy.

chest V USG.

Impression: UTI. ↓ Tubercular intestinal

Nephritis (TIN)

precipitated by Sepsis &

diarrhoea.

**ATTESTED**  
HOSPITAL  
CLINIC  
RESIDENCE

: INTERNATIONAL HOSPITAL, CHRISTIAN BASTI, GUWAHATI-781-005. ☎ 222560/61. 10 AM - 1 PM  
: JYOTI MEDICARE, B.K.KAKOTI ROAD, ULUBARI, GUWAHATI-781 007. ☎ 522278. 5 PM - 8 PM  
: PIYALI PHUKAN ROAD, ULUBARI, GUWAHATI-781 007. ☎ 543153. e-mail: sadhanbrata@yahoo.com

*form no. 701*  
(A. Manta)

Asstt. Depot Manager  
Int'l. Medical Store Depot

Rev: Turine AE 99S.

Reps: ~~17.5.2002~~  
By Dr. CROIN: 17.5.2002 SOS:  
Nephrology consultation: Dr. T. Dr.

SD  
17.5.2002

n : MEDSTORB  
F. No. 0361-45214  
Tele. No. 235 2234 GMSD IN  
P.R. No.

GOVERNMENT OF INDIA  
Ministry of Health & Family Welfare  
Directorate General of Health Services

# Government Medical Store Depot

A. K. AZAD ROAD, GOPINATH NAGAR, GUWAHATI-781016

NO. Admn/164/BBS/2002/

10 JUL 2002

To,

The Addl. Director General (Stn.),  
Dte. General of Health Services,  
(M.S.O.), West Block No.1,  
Wing No.6, R.K. Puram,  
New Delhi- 110066.

Sub:- Forwarding of another representation dated  
10.07.2002 for Voluntary Retirement of  
Shri B.B. Saha, Asstt. Depot Manager, GMSU, Ghy.

Ref:- This depot letter No. Admn/164/BBS/2002/227  
dt. 3.7.2002.

Sir,

In continuation of this depot letter No. Admn/164/BBS/2002/227 dated-3.7.2002 I am herewith sending  
another representation dated 10.07.2002 alongwith its  
enclosures received from Shri B.B. Saha, Asstt. Depot  
Manager of this depot for your information and kind  
necessary action of the Directorate.

It is requested to kindly take necessary action  
immediately considering the facts as stated by Shri  
Saha in his representation. Also it is stated that this  
depot has no objection to the approach regarding voluntary  
retirement of Shri Saha is considered by the Dte.

Yours faithfully,

Enclos:- As stated  
above.

(Name Enclosed)

Jt. Director, GMSU, Ghy. &  
Incharge GMSU, Guwahati

10/7/02

10/7

10/7

D. O. NO. : Admin/166/BBG/ 287-  
Telegram : MEDSTORE  
Fax: 0361-545214  
Tele: 235 2234 GMSD IN  
A. B. PATAKA  
Director, OGHS I/C  
GMSD, Guwahati.



GOVERNMENT OF INDIA  
MINISTRY OF HEALTH AND FAMILY WELFARE  
( Directorate General Of Health Services )  
GOVERNMENT MEDICAL STORE DEPOT  
A. K. Azad Road, P.O. Gopinath Nagar  
Guwahati - 781 016

Dear Dr. Bunting

2-3 JUL 2002

Kindly refer to this depot letter No. Admn/164/MS/2002/227 dt. 03.07.2002 and letter No. Admn/164/MS/2002/254 dt. 10.07.2002 regarding Voluntary Retirement of Shri B.R. Saboo, ADM of this depot.

In this connection I would like to submit the following for your kind information and consideration.

Since my joining in OMSD, Ghy. on 26.12.2000 I have personally observed that Shri B.B.Saha is not keeping good health for last 2 years due to suffering from various medical ailments i.e. Chronic Bronchitis with essential hypertension since 1996 and also implanted hearing aid device due to his hearing problem. Moreover, his wife is presently completely bed-ridden due to acute Tubulo Interstitial Nephritis and requires constant nursing and assistance as his wife is totally dependent on him. As such Shri Saha must needs to be present in Guwahati to ensure proper care and medical treatment for self and his wife.

Shri B.B.Saha has joined in GMFD on 6.11.64 and already served above 37 years to his best abilities. He is due to retire by 30.04.2003.

Facing the difficult situation, as stated above, I personally feel that the representation as submitted by Shri Saha may kindly be considered in view of the facts as stated by Shri Saha in his representation as it is not feasible for Shri Saha to move to GMSD, Mumbai as per Transfer Order of the Dte. vide No. A:22020/2/2001-S.t.I dt. 29.06.2002.

I shall be grateful if you could kindly look into the matter personally and use your good offices so that Shri B.N. Saha ADM of this depot could be retained at GMSD Guwahati and continue his remaining service till his superannuation or his representation regarding voluntary retirement is considered by the Dte.

With kind regards,

Yours sincerely,

( DR. B. SAIKIA )

10

Dr. G. K. Biswas,  
Addl. Director General (Sts),  
D.G.H.S.I. (M&O), West Block No. 1,  
Wing No. 6, R.K. Puram,  
New Delhi-110 066.

23 SEP 1972

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL.

**GUWAHATI BENCH :: GUWAHATI**

Filed by

(A. DEBROY)  
S.R. C.C.C.C.  
C. A. T., C.M.M. & Bench

O.A. NO.235 OF 2002

Shri Bijen Behari Saha

-VS-

Union of India & Ors.

— And —

In the matter of ::

Written statements submitted by  
the respondents.

The respondents beg to submit Brief facts of the case which may be treated as a part of written statements.

1. That the applicant was appointed as Asstt. Depot Manager in GMSD Guwahati w.e.f. 16.9.1997. Prior to this the applicant had been initially appointed on 6/11/65 as LDC in the said depot. Since then he has been working there covering a period of 37 years.

2. That the Ministry of Health & Family Welfare vide letter No-C-14019/1/96-V&EMR dated 23.12.1996 and No.C. 13011/1/96 vig dated 13.2.97 respectively have decided that no one would remain in sensitive departments like Store, Finance and Purchase Cell etc. for more than two years at a time. These instructions have been issued for preventive corruption in such Departments.

Contd... P/2

Govt. Medical Store Depot fall in sensitive category As such officers of these Departments are liable to be rotated after two years. These instructions are applicable to all officers right from ADM to above of these Departments, Keeping in view the spirit of aforesaid instructions and public interest. The applicant alongwith 13 other ADMs has been transferred.

Copies of the letter dated 23.12.1996 and letter dated 13.2.1997 are annexed as Annexure - A and B.

3. So far the notice for voluntary retirement under rule 48 of CCS (Pension) Rules, 1972 submitted by the applicant vide his application dated 3-7-2002 is concerned, the same is under consideration of the Govt. His request for retention in Guwahati Depot till his request for voluntary retirement is accepted, is also under consideration of the Govt. The issues of transfer and voluntary retirement are governed by separate rules and have no relevance with each other. The Sr. Govt. Counsel has been apprised of this fact through Guwahati Depot vide our letter of even number dated 12.8.02.

Para - Wise Statements.

1. That with regard to para - 1, the respondents beg to state that as stated above the request for voluntary retirement under Rule - 48 of CCS(Pension) 1972 submitted by the applicant vide his application dated 03-07-2002 is under consideration of the Govt. and will be decided as per relevant rules. The transfer of the

applicant alongwith 13 other ADMS has been made as per the prescribed Govt. Guidelines, Under which ADMS and above are liable to be transferred throughout India from one Depot to other after completion of two years at one place being in sensitive Department.

2. That with regard to para - 2 to 4.3 of O.A., the respondents beg to offer no comments.
3. That with ~~the~~ regard to para- 4.4, the respondents beg to state that as stated above, the notice for voluntary retirement under rule 48 of CCS( Pension) Rules, 1972 submitted by the applicant vide his application dated 03-7-2002, is under consideration of the Govt. and will be ~~the~~ decided within the prescribed time as per relevant rules.
4. That with regard to para - 4.5, the respondents beg to offer no comments.
5. That with regard to para - 4.6, the respondents beg to state that the facts already stated above in the brief facts above.
6. That with regard to para - 4.7 of O.A., the respondents beg to state that the respondents have no knowledge of such telephonic communication.
7. That with regard to para - 4.8, the respondents beg to state that as stated above, the officers of GMSDS from the level of ADM and above are liable to be transferred after completion of two years at one place as per the laid down Govt. Policy. However, the Officers who are to retire within two years are not generally transferred. In this case, the applicant will retire April, 2005.

8. That with regard to para - 4.8, the respondents beg to offer no comments.

9. That with regard to para - 4.10, the respondents beg to offer no comments.

10. That with regard to para- 5, the respondents beg to offer no comments.

11. That with regard to para - 5.1 to 5.3, the respondents beg to offer no comments.

12. That with regard to para - 5.4 & 5.5, the respondents beg to state that as stated in para - 4.8 above, the transfer of the applicant alongwith with 13 other ADMS has been made properly and in the public interest as per the laid down Govt. Instructions.

13. That with regard to para - 5.6 & 5.7/6 the respondents beg to state that his request for voluntary as stated herein above is under consideration of the Govt. and will be decided as per relevant rules. It may also be relevant to mention here that the applicant on the one hand has filed the present OA and on the other hand he has been mixing the other administrative issues simultaneously. Instead of filing the present OA, the applicant should have waited for the orders have been made on 28.6.2002, whereas the applicant has submitted notice for voluntary retirement on 3-7-2002 only. It is denied that the transfer order is unfair, arbitrary, unjust and violative of principles of natural justice.

14. That with regard to para - 7, the respondents beg to offer no comments.

15. That with regard to para - 8, the respondents beg to state that in view of the above comments, the Hon'ble Tribunal is prayed to vacate the stay order/not to discuss the O.A.

16. That with regard to para - 8.1, the respondents beg to state that his request for voluntary retirement is already under consideration of the Govt. will be decided as per relevant rules.

17. That with regard to para - 8.2, the respondents beg to state that as his transfer alongwith other 13 ADMS has been made properly and in the public interest in accordance with laid down Govt. guidelines, the transfer is fairly justified.

18. That with ~~the~~ regard to para - 8.3 & 8.4 of OA, the respondents beg to offer no comments.

19. That with regard to para - 9, the respondents beg to state that in view of the comments furnished above, the Hon'ble Tribunal is prayed not to stay the operation of the transfer orders dated 28.06.2002 and vacate the stay order and be pleased to dismiss the OA of the applicant.

V E R I F I C A T I O N .....

V E R I F I C A T I O N

I, Shri Bikash Saikia presently working as a Jt. Director CGHS & 1/2 GMSB Guwahati be duly authorised and competent to sign this verification, do hereby solemnly affirm and declare that the statements made in para

are true to my knowledge and belief,

these made in para

are true to my information derived therefrom and rest are my humble submission before the Hon'ble Tribunal, I have not suppressed any material facts.

And ~~xx~~ I sign this verification on this 16 th day of September, 2002.

Bikash Saikia

Declarant.

Jt. Director CGHS and  
No Govt. M. S. Depot, Guwahati.