

100
CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH

GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

O.A/T.A No. 196/2006.....

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

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SECTION OFFICER (Judl.)

FORM NO. 4
(SEE RULE 42)

CENTRAL ADMINISTRATIVE TRIBUNAL
GUJARATI BENCH

ORDER SHEET

196/2004

Org. App/Misc. Petn/Cont. Petn/Rev. Appl.....

In O.A.

Name of the Applicant(s) R. Kumar

Name of the Respondent(s) U.O.T. & Ors.

Advocate for the Applicant R.L. Yadav, K. Yadav, Mr. U. Das
Mr. A. Deb Roy
M.R.C. & C.G.S.C.

Counsel for the Railway/C.G.S.C. & C.G.S.C.

OFFICE NOTE	DATE	ORDER OF THE TRIBUNAL
	30.08.2004	Present : The Hon'ble Sri K.V. Prahladan, Member (A).

This application is against the transfer order issued by the respondents at Annexure - G. The

applicant is a Hindi Teacher at 23 Assam Rifles and has been transferred

to 14 AR. The applicant is studying computer course of Advance Diploma

in Software Engineering Course near his office in his own cost after

prior permission from his superiors and he will be completing on April,

2005. Therefore, he desires to stay up to April, 2005 at the present

place of posting.

N
Contd/-

30.08.2004

This Tribunal normally cannot interfere with the order of transfer issued by the respondents. However, the applicant submitted representation for retention at his present place of posting. Therefore, the respondents are directed to consider the representation dated 26th May, 2004 fairly, justly and in an equitable manner within two weeks from the date of receipt of this order.

15.9.04

copy of the order
has been sent to
the Office of the
Same to the
Applicant as well
as to the Office
for the Respondent.

The O.A. is disposed of. No order as to costs.

Abd.
Arg 1579


Member (A)

APPLICATION UNDER SECTION 19 OF ADMINISTRATIVE
TRIBUNAL ART 1985

TITLE OF THE CASE

INDEX

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5.	Annexure-E	
6.	Annexure-F	
Date of Filing	Signature of the applicant	
Signature of Registrar	Filed by Esha Das Advocate	

SYNOPSIS

The applicant is a Hindi Teacher working in 23 Assam Rifles. There is a transfer order from 23 A.R. to 14 A.R. and the petitioner is on leave upto 30.08.04. So there is urgency in the matter. Therefore, the applicant request to allow to move unlisted motion. Otherwise the petition will be infructuous.

W.Das

Advocate

Filed by
The applicant through
Jitendra Das
Advocate
Case No 104

IN THE CENTRAL ADMINISTRATION TRIBUNAL,
GUWAHATI BENCH.

GUWAHATI

Sri Ranjan Kumar

Hindi Teacher, Assam Rifles School

23 Assam Rifles

C/o 99 APO Applicant

-Vs-

1) The Union of India represented by the Secretary
Defence/Administration Dept. New Delhi.

2) Director General of Assam Rifles, Shillong,
Meghalaya.

3) Sri P.S. Farswan

24 Assam Rifles

C/o 99 APO

..... Respondents

DETAILS OF APPLICATION

(i) Particulars of the Order/Representation.

Posting/transfer order of Ranjan Kumar (Petitioner) from 23 AR to 14 AR vide
info- 5AR/7AR/23AR/26AR/29AR

(ii) Jurisdiction of the Tribunal.

(iii) Limitation

The applicant declares that the subject matter which the applicant wants
to redressal within the jurisdiction of this Tribunal as the same relates to a
Hindi Teacher, Assam Rifles School, 23 Assam Rifles c/o 99 APO.

The applicant further declares that the application within the limitation
period prescribed in Section 21 of the Administrative Tribunal Act, 1985.

Ranjan Kumar

(iv) Facts of the case.

- 1) That the petitioner is a citizen of India and at present resident of Khonsa, Arunachal Rifles, C/o 99 APO, Dist- Tirap, Arunachal Pradesh.
- 2) That the petitioner by qualification is a graduate in Arts. There was an advertisement dated 17.12.96 for appointment of Hindi Teacher in Assam Rifles. The petitioner being qualified for the same applied for the said post along with other candidates. The petitioner received call letter dated 03.02.97 issued by the Deputy Director (A) for Directorate of General Assam Rifles, Shillong. Accordingly the petitioner appeared for written test and interview and he was selected for the post of Hindi Teacher by order dated 15.04.97, issued by the Respondent no.2.

A copy of the advertisement and call letter dated 03.02.97 are annexed herewith as Annexure- A & B.
- 3) That thereafter the petitioner received an appointment letter for joining at 11 Assam Rifles C/o- 99APO. The petitioner accordingly joined on 15.04.97 in the office of Director General of Assam Rifles, Shillong and from there he was posted to 11 Assam Rifles C/o- 99 APO.
- 4) That the petitioner worked at 11 Assam Rifles School as a Hindi Teacher and the worked there upto September, 2000.
- 5) That thereafter the petitioner was posted from 11 Assam Rifles to 6th Assam Rifles and he physically reported the said unit on 09.09.00 .
- 6) That during stay at 6th Assam Rifles the Department brought computers for the students. Since there was no computer teacher in the school at the relevant time and so the officer concern asked the petitioner to do some course at his own cost so that he can teach computer to the students..
- 7) That the petitioner on enquiry found that there was one computer course in Megacom Computer Centre at Khonsa. The said course was for two years. The petitioner filed an application before the Commandant 6th Assam Rifles for

Ranjan Kumar

permission to allow him to join the said computer course of Advance Diploma in Software Engineering Course (ADSE).

8) That the Commandant 6th Assam Rifle granted permission to the petitioner and accordingly the petitioner joined the said course by depositing Rs.10,000/- and by paying Rs 300/- per month. It is to be mentioned here that the expenses for computer training is borne by the petitioner and the petitioner is attending the computer classes in the evening after performing his duties in the school as a Hindi teacher.

A copy of money receipt are annexed herewith as Annexure 'C' series.

9) That in the mean time 6th Assam Rifles unit was to move to Udaipur during April, May/03 due to turn over of unit with 23 Assam Rifles and as per DGAR SOP on turn over of units, teaching staff was to retained in same location. Therefore the petitioner was retained at Khonsa with 23 Assam Rifles where as 6th Assam Rifles moved to Udaipur.

10) That the petitioner before completion of computer course for one years 4 months filed a representation for his retention in 23 Assam Rifles at Khonsa, before the Directorate General Assam Rifles through proper channel so that he can complete his computer course which is going to be completed by April/05. The center from where the petitioner is doing computer course also wrote a letter that the course may complete around April/05.

A copy of said representation and letter from centre are annexed herewith as Annexure – D & D₁.

11) That the said representation was not considered and the respondents issued a posting order in the month of May/04 in respect of posting of Hindi teachers. By the said order the petitioner was posted from 23 AR to 14AR and one Mr P.S Farswan was posted from 24 AR to 23 AR. The order was communicated to the petitioner and he was ask to move from 23AR to 14AR.

12) That the reliever of the petitioner Mr. P.S. Farswan filed a representation and as such his movement to 23AR was deffered for six months..

Ranjit Kumar

13) That the petitioner also again filed a representation dated 26.05.04 through proper channel with a request to retain him for one year for education purpose i.e. for completion of computer course which the petitioner is doing at Khonsa by attending classes in school of the Assam Rifles at Khonsa..

A copy of the said representation is annexed herewith as Annexure-E.

14) That the Commandant as well as the DIGAR (AC/Range) also recommended for retention of the petitioner for education purpose and the petitioner was hopeful that he would be able to complete his Diploma Course as he was assured that his retention will be considered till completion of his diploma course.

15) That surprisingly enough the petitioner came to know that his representation was not considered and he is to move to 14 Assam Rifles , Jwalamukhi , Manipur where there is no facility to complete his aforesaid diploma course.

16) That the petitioner before completion of three years in the present place was trying to retain himself at 23 Assam Rifles only with intention to complete the course for which only few months left and for this the commandant, 23 Assam Rifles, Head Master, Assam Rifles School, Khonsa, and D.I.G. Assam Rifles also recommended to retain the petitioner for one year on education ground. The petitioner also has legitimate expectation that his representation would be considered at least on his education ground. But inspite of recommendation the respondent No.2 did not consider the case of the petitioner, whereas the case of the reliever of the petitioner has been considered and his posting to 23AR has been differred for six months.

Copy of recommendation/ letter are annexed herewith as Annexure F,F₁, F₂ & F₃..

17) That under the above circumstances the petitioner has no alternative but to seek justice from this Hon'ble Tribunal.

18) That it is respectfully submitted that the petitioner joined the Advance course of computer only with permission of the 6th Assam Rifles under whom he was working at the relevant time. By attending the said course the petitioner himself is

Rajiv Kumar

not only benefited but even he is teaching the students by providing preliminary knowledge of computer and as such students are also benefited by him.

- 19) That it is respectfully submitted that the respondents have considered the representation filed by Mr. P.S. Farswan who was posted to 23 Assam Rifles but his unit has been deferred for six months on the basis of representation filed by him. The respondents ought to have considered the petitioner on being same footing but by refusing the same the petitioner has been discriminated and due to arbitrary action of the respondents the petitioner has been prejudiced badly.
- 20) That it is respectfully submitted that the petitioner is ready and willing to abide by the posting order but only for few months i.e. till completion of his computer course i.e on educational ground, he wants to remain at 23 Assam Rifles, Khonsa at least upto April/05 otherwise his all efforts for last one year 4 months and money spent by him for undergoing aforesaid course will become unless and the petitioner will suffer mentally, as well as financially and also the period of one year four months.
- 21) That the petitioner is on leave upto 30.08.04 and his movement order has not yet been effected and so the transfer order from 23 Assam Rifle to 14 Assam Rifles may be stayed and after hearing the same may be quashed and/or the same may be suspended and/or kept in abeyance at least upto April/05, so that the petitioner could complete his computer course aforesaid without any discontinuation otherwise the period of 1(one) year 4(four) months will be lost including the money spent for admission and monthly fees.
- 22) That there is urgency in the matter and the respondents can accommodate the petitioner at 23 Assam Rifles, Khonsa as his reliever is also not coming as his posting has been deferred for six months and so there is no impediment to retain the petitioner at 23 Assam Rifles, Khonsa at least upto April/05.
- 23) That the Advance Computer Course of the petitioner was taken by the petitioner at the instance of the school authority i.e. 6 Assam Rifles as computers were installed in the school, since there was no computer teacher in the school and so the

Rajin Kumar

petitioner was allowed to join the Advance computer course at his own expenses. The petitioner is accordingly attending the said course after school hour discharging duties to the school.

- 24) That the petitioner has demanded justice while the same has been denied to him.
- 25) That there is no alternative and efficacious remedy and the remedy sought for is adequate and complete.
- 26) That if the impugned order of transfer is not set aside the petitioner will suffer irreparable loss and injury which cannot be compensated in terms of money.
- 27) That this application is made bonafide and for the ends of justice.

(v) Details of the remedies exhausted

(a) Representation filed on 26/05/04 to the Mahanideshalaya Assam Rifles , Directorate General Assam Rifles(A Branch), Shillong but the same has not been considered properly and inspite of that transfer/posting order has been passed..

(vi) Matters not previously filed or pending with any other court

The applicant further declares that he has filed a writ petition before the Hon'ble court but a petition has already filed for withdrawal of the same . A copy of the said petition is annexed herewith as Annexure-'E'.

(vii) Relief sought

That the posting/transfer order issued vide info No. 5AR/7AR/23AR/26AR/-29AR transferring the petitioner from 23 Assam Rifles, Khonsa to 14 Assam Rifles be set aside and/or may be kept in abeyance and the petitioner may be allowed to remain at 23 Assam Rifles, Khonsa at least till April/05 for completion of his Advance Computer Course in Megacom Computer Centre at Khonsa and any further other order/orders as your lordship may deem fit and proper may also be passed.

(viii) Interim order

Ranjan Kumar

Further it is prayed that pending disposal of this application/transfer order aforesaid vide info 5AR/7AR/23AR/26AR/29AR transferring the petitioner from 23AR to 14 AR may be stayed and the petitioner may not be disturbed on the strength of the posting/transfer order vide info No. 5AR/7AR/23AR/26AR/29AR till April/05 and he may be allowed to complete the aforesaid computer course by attending usual teaching classes in the School of 23 Assam Rifles.

(ix) Particulars of Bank Draft/Postal Order in respect of Application fee

Postal Order of Rs. 50.00/-

NO. 206114110.

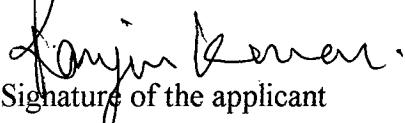
Enclosed herewith

(x) List of Enclosurers

Annexure A to H (Page No.8 to 20)

VERIFICATION

I, Sri Ranjan Kumar (Name of the applicant) s/o late Motilal Kumar aged about 30 years, working as a Hindi Teacher in the Assam Rifles School, Khonsa resident of 23 Assam Rifles, c/o 99 APO do hereby verify that the contents of para to believed to be true on legal advice and that I have not suppressed any material facts, and I sign this verification on this 30th day of August at Guwahati.


Signature of the applicant

Date:

Place:

Annexure-A

Tele No. PABX: 230222
EXTN: 5550

REGISTERED
Bharat Sarkar
Government of India
Grih Mantralaya
Ministry of Home Affairs
Mahanideshalaya Assam Rifles
Shillong - 793011

A/V-I/Rect/HT/96/340

17 December 96

Directorate of Advertising &
Visual Publicity
PTI Building
Parliament Street
New Delhi

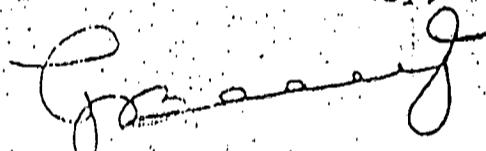
ADVERTISEMENT FOR THE POST OF HINDI TEACHER

Sir,

1. Please find herewith a statement on vacant post of Hindi Teacher which are required to be filled by this Directorate. You are requested to give wide publicity on the same through news papers like Employment News/Rozgar Samachar/Indian Express/Times of India/Assam Tribune/Telegraph Hindu/Meghalaya Guardian etc.

2. Your co-operation in this regards will be highly appreciated.

Yours faithfully,


(G.P.S. Bedi)
Colonel
Deputy Director (A)
for Director General Assam Rifles

Encl: 50 copies of
Statement

Copy to :-

Liaison Officer
Det Assam Rifles
Room No. 171
North Block
Ministry of Home Affairs
New Delhi -01

- alongwith a copy of the statement. Letter alongwith statement meant for DAVP is also enclosed herewith for onward submission please. You are also requested to contact Director DAVP and get the above material published in News Papers accordingly.

PRO Cell (Internal) - for information alongwith a copy of statement.
List 'A', 'B', 'C' & 'D'

Attested
R.D.S.
Advocate

Roll No - 30

9-

Annexure B

M

Tele No. PA BX-230222
EXTN- 5550

REGISTERED

Bharat Sarkar
Govt of India
Ministry of Home Affairs
Mahanideshalaya Assam Rifles
Directorate General Assam Rifles
Shillong- 793011

A/V-A/96/Rct/0074-35

03 Feb 97

Sri. Ranjan Kumar

S/o Late Moti Lal Ram

Vill - Phaphadar

P.O - Phaphadar

Dist - Buxar (Bihar)

INTERVIEW : CALM LETTER - HINDI TEACHER

1. You are hereby directed to report to this Directorate at 1000 hrs on 27 Feb 97 for selection test. The selection test will be conducted as under :-

(a) Written test - Written test of one hour duration will be conducted covering professional topics.

(b) Interview - Interview will be held for those candidates who got minimum 50% marks in the written test. The interview will commence after the written papers have been corrected.

2. The following documents should be produced in original at the time of test/interview. Candidates not in possession of original certificate of matriculation and Degree will not be permitted to take the written test :-

(a) Certificate of age (Birth certificate or Matriculation certificate).

(b) Degree certificate of education and professional certificate with mark sheets.

(c) Character certificate.

(d) Cadre certificate as per Govt prescribed form

3. Individual failing to report by 1000 hours on 27 Feb 97 will not be permitted to take part in the selection test.

4. Appointment will be done based on the vacancy and as per merit position in the selection test/interview.

....2/-

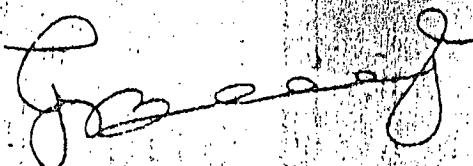
Attended
as
Advocate

5. The date of written test and interview may be deferred in case of law and order situation is not permitting to conduct the selection test.

6. Final result will not be declared. Appointment letter will follow in case of selected candidates only.

7. Candidates tentatively selected for appointment will have to submit medical fitness certificate from State Civil Surgeon.

8. No accommodation, transport, messing will be provided by this Department. Candidates are not authorised any travelling allowances/Dearness allowances for appearing for the selection test.



(G P S Dodi)

Col

Deputy Director(A)
for Directorate General
Assam Rifles

Attested
near
Adro gate

Annexure 'C' series



MEGACOM COMPUTER CENTRE

Near Rangsum Hum, Khonsa
Arunachal Pradesh, Pin-786630
Regd. No. DIG/02/23/01/250/PMT
Phone: (03786) 222689

No.

Date 22/03/04

1/101 **RECEIVED** with thanks from
Mr. Ranjan Kumar (Teacher)
23 Assam Rifles, Itanagar
the sum of Rupees. Thirteen Lakh, One Thousand, Four
for the month of Feb '04 on account
of monthly fee.

Rs 300/-

For Megacon Computer Centre

MEGACOM COMPUTER CENTRE

Near Rangsum Hum, Khonsa
Arunachal Pradesh, Pin-786630
Regd. No. DIG/02/23/01/250/PMT
Phone: (03786) 222689

No.

Date 14/04/04

152 **RECEIVED** with thanks from
Mr. Ranjan Kumar (Teacher)
23 Assam Rifles, Itanagar
the sum of Rupees. Thirteen Lakh, One Thousand, Four
for the month of March '04 on account
of monthly fee.

Rs 300/-

For Megacon Computer Centre

Attested
Ranjan
Advocate

From :- Shri Ranjan Kumar, Hindi Teacher,
6 Assam Rifles
C/o 99 APO

To :- Directorate General Assam Rifles
(A Branch)
Shillong - 793011
(Through proper channel)

**REQUEST FOR RETENTION FOR ONE MORE TENURE
FOR SELF EDUCATION PURPOSE.**

Sir,

1. With due respect, I beg to state the following lines for favour of your kind consideration and sympathetic action please.
2. That I have been appointed as Hindi Teacher on 15th April 1997 and I am serving with 6 AR at Khonsa wef 09 Sept, 2000. I have come to know that this unit will move to Udaipur during April/May 2003 due to turn over of Unit with 23 AR. As per DGAR SOP on turn over of units, teaching staff will be retained in same location.
3. It is to being to you kind notice that I have gained admission in Megacom Computer Centre Khonsa(ALP) for Advance Diploma in Software Engineering Course (ADSE) wef 24th Feb 2003 for 24 months by attending evening classes at my own expense.
4. Keeping in view of the above, I request you honour to kindly retain me for one more tenure with the new unit(23 Assam Rifles) at Khonsa location and be of more use to ASSAM RIFLES in the capacity of IT trained teaching staff.
5. For this act of kindness, I shall be ever grateful to you please.

Yours faithfully,

COUNTERSIGNATURE OF COMDT. 6 ASSAM RIFLES

Feb 2003

Attested
Ranjan
Advocate



MEGACOM COMPUTER CENTRE

NEAR RANGSUM HUM, KHONSA DISTRICT: TIRAP
ARUNACHAL PRADESH
AUTORISED UNDER HI-TECH COMPUTER POINT
REGD. No. DIG/02/23/01/250 PMT

Estd:2000

222689 (v)

Ref No. MCC/KSA/245/04

TO WHOM IT MAY CONCERN

This is to certified that Mr Ranjan Kumar (Hindi Teacher) 23rd Assam Rifles school khonsa has been learning Advance Diploma in Software Engineering Course (ADSE) in this Institute since 24th February 2003 and it may complete around April/2005.

He is a regular students of this Institute From 4:00P.M to 5:00 PM batch.

I wish him success in life.

Managing Director
Megacom Computer Centre.

Attested
Narayan
Advocate

Annexure - E

From : Sri Ranjan Kumar, Hindi Teacher
23 Assam Rifles
C/o 99 APO

To : Mahanideshalaya Assam Rifles
Directorate General Assam Rifles
(A Branch)
Shillong - 793011

(Through Proper Channel)

**REQUEST FOR RETENTION FOR ONE YEAR FOR
EDUCATION PURPOSE**

Sir,

1. With due respect, I beg to state the following lines for favour of your kind consideration and sympathetic action please.
2. That Sir, I have been appointed as Hindi Teacher on 15th April 1997 and serving with 6 Assam Rifles at Khonsa wef 09 Sep 2000 but due to turn over of Unit with 23 Assam Rifles as per HQ DGAR SOP on turn over of units, teaching staff has retained in same location. Therefore now I am serving with 23 Assam Rifles wef 08 May 2003 and being completing my normal tenure at this location.
3. Sir, I bring it to your kind notice that I have gained admission in Megacom Computer Centre, Khonsa (ALP) for Advance Diploma in Software Engineering Course (ADSE) wef 24th Feb 2003 for 24 months by attending evening classes at my own expense duly obtaining permission from unit Commandant (i.e. the then Commandant 6 AR) and to posting out from this location may disturb my diploma course for which I had already paid huge fee.
4. Keeping in view the circumstance as mentioned above, may I request your kind honour to kindly retain me at this location for two more years only to enable me to complete my diploma course well as to be a more use of my course to teach the children of Assam Rifles School being a IT trained teaching staff.
5. For this act of your kindness, I shall remain ever grateful to you, Sir

Yours faithfully,



(Ranjan Kumar)
Hindi Teacher

Dated 26 May 2004

Attested
Ranjan Kumar
Advocate

RECOMMENDATIONS OF THE COMMANDANT 231 ASSAM RIFLES
ON THE APPLICATION SUBMITTED BY SHRI RANJAN KUMAR, HINDI
TEACHER FOR REQUEST FOR RETENTION FOR ONE YEAR FOR
EDUCATION PURPOSE

Recommended/Not Recommended

Station : Field

Dated : 28 May 2004

(Dharmendra Pal)
Colonel
Commandant

Ordnance
0815

Attested
near
Advocate

Headquarters
Assam Rifles
Assam Rifles HQ
A.P.O. 99
2

14/05/2004/2004/114/111/0/111/

14/05/2004

Mahanideshalaya Assam Rifles
Directorate General Assam Rifles
('N' Branch)

APPLICATION FOR RETENTION FOR EDUCATION

1. An application for retention of one year in this present
I.C. (Minerva) on educational ground submitted by Shri Ranjita Kumar
Mondal Teacher of 23 Assam Rifles is laid herewith duly forwarded
by the DPO/R alongwith its connected documents for your kind action.
2. Action taken on the subject may please be intimated to
this HQ for further info of unit concerned.

(R R Chowdhury)
Capt
SOS (A)
For DIG Assam Rifles

Encl : 05 sheets

Copy to :-

23 Assam Rifles
c/o 99 APO

- For info wrt their letter No.
2039/A-HC/2004/257 dated
28 May 2004.

Attested
Ran
Advocate

Army School FR
2

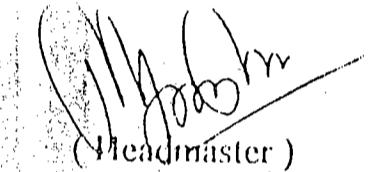
REQUISITION LETTER

17

1. As he has joined the Computer diploma classes depositing an amount Rs 10,000/- for the course, he may be allowed to complete the course and thus he may be retained here in 23 Assam Rifles till the completion of course.
2. He is a good and hardworking teacher .He uses to teach computer to the students in our School.
3. As the individual wants to seek education/qualification at his own expense, it may be considered as it is beneficiable to him as well as to the students of the Assam Rifles schools. More over he has taken admission with the permission of the Commandant 6 Assam Rifles .

Therefore , he may please be allowed retention till his course is completed.




(Headmaster)
Assam Rifles School, Khonsu
23 Assam Rifles,
16/209MWB
ASSAM RIFLES SCHOOL
Khonsu-786630

Altered
Nutan
Advocate

MR. DEAN (P.M.)

20/6/1980

UACCP

TO. 24 AN

30

72376 2

INFO. 23 AN

posting beginning 01/07/1980 & 1980, after as
you request agreed in principle of posting
of Shri P.R. Karmakar Chittor Lines teacher
you cross desire by 6 months 01/07/1980
Dec 80 or will be released by 01/07/1980
possibly or no 80 no further detention will
be 9/10

Attested
near
Advocate

22/31

Priority

From DGAR (A Branch)

To IGAR/ARTC/ All Range

Info to 5 AR/ 7 AR/23 AR/25 AR/ 29 AR

Posting/transfer teaching staff in r/o Hindi Teachers finalised considering all aspects following posting Hindi Teachers ordered (1) Shri R.P. Sumer from 29 AR to 30 AR (2) Shri D.C. Sardiyal 18 AR to 5 AR (3) Shri Ranjan Kumar from 23 AR to 14 AR (4) Shri P.S. Panswan from 24 AR to 23 AR. Individual whose posting order has been issued by name of the place will report that location irrespective of the movement on or before 10 June 2004 without awaiting.

IGAR(H) Range HQ to submit completion to the date 10 June 2004.

No Modification/Cancellation/retention or holding in abeyance of posting will be entertained. Unit to personally ensure timely movement.

Attested
R.D.
Advocate

DISTRICT - TIRAP (A.P.)

IN THE GAUHATI HIGH COURT

(The High Court of Assam, Nagaland, Meghalaya, Manipur, Tripura,
Mizoram and Arunachal Pradesh)

Misc. Case No. /2004

In W.P.(C) No. /2004

To

The Hon'ble Shri D. Biswas, Chief Justice (acting) of the Gauhati High Court and His Lordship's companion Justices of the said Hon'ble High Court.

IN THE MATTER OF:

An application for withdrawal of W.P.(C) No.6050 /04 and

AND

IN THE MATTER OF:

W.P.(C) No. 6050 /2004

Sri Ranjan Kumar Petitioner
-Vs-

Union of India & others Respondents.

The humble petitioner above named

Most Respectfully Sheweth :-

- 1) That the petitioner has filed the aforesaid writ petition challenging the transfer order and also prayer for his retention at 23 Assam Rifles, Khonsa.
- 2) That the said petition is pending before this Hon'ble Court and the petitioner wants to withdraw the said writ petition as there is an alternative remedy available and the petitioner has filed an application before the Central Administrative Tribunal, Guwahati.
- 3) That under the above circumstances, the petitioner does not want to press the aforesaid writ petition and as such the same may be allowed to be withdrawn.

Attested
N.D. Das
Advocate

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4) That this petition is made bonafide and for the ends of justice.

It is therefore prayed that your Lordship may be pleased to accept this application and pass necessary order and to allow the petitioner withdraw the W.P.(C) No. 6050/04 and any other order/ orders as your lordship may deem fit and proper may also be passed.

And for this the humble petitioner shall ever pray.

Attest
S. D. S.
Advocate

AFFIDAVIT

I, Sri Ranjan Kumar son of Late Motilal Kumar aged about 30 years, resident of 23 Assam Rifles, C/o 99APO do hereby solemnly affirm and state the follows:

1. That I am the petitioner in the and as such I am conversant with facts and circumstances of the case..
2. That the statements made in paras 1 to are true to my knowledge and those made in para to are matter of records and rest are my humble submission before this Hon'ble Court.

The statements made in paras 1 and 2 of this affidavit are true to my knowledge and I sign this affidavit on this day 2004 at Guwahati.

Identified by

(Advocate's Clerk)

Deponent

*Hitesh Kumar
Advocate*