

CIRCUIT COURT SITTING HELD AT INDORE

ORIGINAL APPLICATION NO. 245 OF 2006

Indore, this the 20th day of April, 2006

Hon'ble Dr. G.C. Srivastava, Vice Chairman

Hon'ble Shri K.B.S. Rajan, Judicial Member

Vijay Kumar Batra,
S/o. late Shri Hansraj Batra,
MES No. 470945, UDC,
GE (MCTE), Mhow.

... **Applicant**

(By Advocate – Shri D.M. Kulkarni)

V e r s u s

1. Union of India, through Secretary,
Ministry of Defence, New Delhi.
2. Chief Engineer, HQ Central
Command, Lucknow- 2.
3. Headquarter Chief Engineer,
Jabalpur Zone, Jabalpur.
4. Commander Works Engineer,
152, Mall Road, Mhow.

... **Respondents**

ORDER (Oral)

By Dr. G.C. Srivastava, Vice Chairman -

Heard the learned counsel for the applicant.


2. He has represented to the respondents for deferment of his transfer order in view of the fact that he is a member of the Works Committee. The representation was forwarded by his superiors to the higher authorities, but no response seems to have been received despite applicant submitting another representation through his advocate on 8th April, 2006. The learned counsel for the applicant has submitted that the respondents may be asked to take appropriate decision on his representations keeping in view the circumstances of the case and Government of India, Ministry of Defence OM No. 13(24)/75/D(Appts), dated 2nd April, 1980 regarding transfer of workmen elected as representatives in the Works Committee.

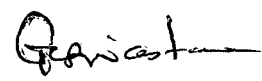
3. We accept this prayer and direct the respondents to take a decision on the representation of the applicant for deferment of transfer, through a speaking and reasoned order within a period of two months from the date of receipt of this

7. Qm

order alongwith the copy of the OA. The submissions made in the OA may also be taken into consideration while deciding the representation of the applicant.


4. With this direction the OA is disposed of. The applicant shall be relieved only when the decision on the representation is communicated to him. The applicant will have the liberty to approach the Tribunal in case he is not satisfied by the decision on his representation.


(K.B.S. Rajan)
Judicial Member


(Dr. G.C. Srivastava)
Vice Chairman

"SA"

To,
① Applicant counsel
② Respondent No. 1 to 4.

Issued

25-4-06