

CENTRAL ADMINISTRATIVE TRIBUNAL,  
JABALPUR BENCH,  
JABALPUR

Original Application No. 677 of 2006

Jabalpur, this the 20<sup>th</sup> day of September, 2006

Hon'ble Dr. G.C. Srivastava, Vice Chairman  
Hon'ble Mr. A.K. Gaur, Judicial Member

M. Jayaraman,  
S/o. Shri P. Mahalingam,  
Aged about 57 years,  
R/o. 307-B, Hemasha Apartment,  
Civil Lines, Jabalpur. .... Applicant

(By Advocate – Shri V. Tripathi on behalf of Shri S. Paul)

V e r s u s

1. The Secretary,  
Ministry of Home Affairs,  
Official Language Department,  
LokNayak Bhawan, Khan Market,  
New Delhi.
2. The Secretary,  
Central Hindi Training Institute,  
Official Language Department,  
Ministry of Home Affairs,  
74, B Wing,  
Paryawas Bhawan, CGO Complex,  
Lodhi Road, New Delhi.
3. The Deputy Director,  
Central Hindi Training Institute,  
Central Region,  
Official Language Department,  
Napier Town, Jabalpur. .... Respondents

(By Advocate – Shri M. Chourasia)

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O R D E R (Oral)

By A.K. Gaur, Judicial Member -

Head the learned counsel for the applicant and Shri M. Chourasia, Additional Central Government Standing counsel, appearing for the respondents.

2. By means of this Original Application the applicant has prayed for the following main relief:

- "(ii) set aside the order dated 19.7.2006 Annexure A-1,
- (ii) Direct the respondents to not to relieve the applicant from the present place of posting and kept the applicant at Jabalpur."

3. The brief facts of the case are that the applicant was initially appointed as Lower Division Clerk on 4.5.1975. After the appointment he has worked to the entire satisfaction of his superiors. The office of the respondent No. 2 had issued an order dated 17.6.2005, whereby the applicant was directed to submit his option to choose one place from Guwahati, Kolkata, New Delhi, Mumbai and Chennai to go on transfer. After receiving the order dated 17.6.2005 the applicant has submitted his option on 8.8.2005 (Annexure A-2). While submitting the option the applicant has requested to accommodate him at Jabalpur for a period of six months and further requested that after six months he will be able to join at Chennai. In the impugned order itself, it is specifically observed that the applicant has given assurance that after June/July, 2006 he will be in a position to go ~~to~~ Guwahati. The applicant has also stated in his Original Application that certain similarly situated Group-D employees have filed OA before this Tribunal bearing OAs Nos. 662/2005 and 666/2005. This Tribunal while passing the order has directed the respondents to decide the representations of the applicants and till the representations are decided the applicants shall not be disturbed at the present place of posting. The learned counsel for the applicant specifically stated that he has also filed a

(3)

11.9.2006 (Annexure A-6) and his grievance would be redressed if direction is issued to the competent authority to consider and decide the said representation of the applicant by a reasoned and speaking order and till then he may not be relieved from the present place of posting.

4. It is significant to mention that the learned counsel for the applicant has fairly admitted that the applicant has not been relieved as yet. In view of the said statement and after hearing the learned counsel for the parties, we are of the view that ends of justice would be met if the respondent No. 2 is directed to consider and decide the aforesaid representation of the applicant at Annexure A-6 by a reasoned and speaking order within a period of one month from the date of receipt of a copy of this order. We do so accordingly. It is expected that the respondents shall not relieve the applicant till the disposal of the representation, in case if he has already not been relieved. Be it noted that we have not expressed any opinion on the merits of the case.

5. In view of the aforesaid, the Original Application is disposed of.

*A.K. Gaur*  
(A.K. Gaur)  
Judicial Member

*Dr. G.C. Srivastava*  
(Dr. G.C. Srivastava)  
Vice Chairman

"SA"

पृष्ठांकन रो/व्या.....जबलपुर, दि.....  
प्रतिलिपि वाचो विलः—

- (1) सचिव, उच्च वकायालय कार्यालयालय, जबलपुर
- (2) अधिकारी श्री/श्रीमती/मुख्यमंत्री के कार्यालय
- (3) प्रत्यक्षी श्री/श्रीमती/मुख्यमंत्री के कार्यालय
- (4) विधायक, गोपनी, जबलपुर व्यापारी समिति

सूचना एवं आपराधिक कार्यकारी कार्यालय

*S. Gaur, D2v238*

*M. Chaudhary*  
*D2v238*

*25/9/06*  
उप सचिवालय

*25/9/06*