

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR.
JABALPUR

Original Application No. 137 of 2005

Jabalpur, this the 8th day of February, 2005

Hon'ble Shri M.P. Singh, Vice Chairman
Hon'ble Shri Madan Mohan, Judicial Member

Nand Kishore Kori, Aged about 56 years,
S/o. Shiv Ratan Kori, R/o. House No. 412,
Narghia Road, Galgala, Tilak Ward, Jabalpur. Applicant

(By Advocate – Shri S.K. Nagpal)

V e r s u s

1. Union of India, through : the Secretary, Government of India, Ministry of Defence, Deptt. of Defence Production, New Delhi.
2. Director General, Ordnance Factories, Ordnance Factory Board, 10-A, Shaheed K. Bose Road, Kolkata.
3. Senior General Manager, Vehicle Factory, Jabalpur. Respondents

O R D E R (Oral)

By M. P. Singh, Vice Chairman –

Heard the learned counsel for the applicant.

2. By filing this Original Application the applicant has claimed the following main reliefs :

“ii) quash the impugned transfer order being malafide/discriminatory,

iii) direct the respondents that in case for any reason the applicant has to be transferred from present School, he may be adjusted in the GCF/Khamaria Factory School at Jabalpur.”

3. The brief facts of the case are that the applicant is working as a

Primary Teacher in Vehicle Factory, Jabalpur. Vide order dated 31st

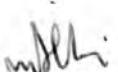
January, 2005 (Annexure A-1) he has been transferred from Vehicle Factory, Jabalpur to Ordnance Factory, Dehradun and has also been relieved on the same date. During the course of argument the learned counsel for the applicant has submitted that the seniority of the Primary Teachers ^{is 2} are maintained zone wise and the applicant has been transferred from Jabalpur to Dehradun i.e. from one zone to another, which is not permissible under the rules. The applicant is suffering from heart problems and hence, he has requested that the respondents be directed not to insist on his transfer and cancel the same in the interest of justice. He has also submitted a representation in this regard on 1st February, 2005 (Annexure A-4) addressed to the respondent No. 2 and no decision has been taken by the respondent No. 2.

4. In the facts and circumstances of the case, we are of the considered view that ends of justice would be met if we direct the respondent No. 2 to consider and decide the representation of the applicant dated 1st February, 2005 (Annexure A-4) and take a decision by passing a speaking, detailed and reasoned order within a period of four weeks from the date of receipt of a copy of this order. Till the representation of the applicant is decided by the respondent No. 2 the operation of the order dated 31st January, 2005 (Annexure A-1) is stayed. The learned counsel for the applicant is also directed to send a copy of this order as well as the copy of the petition to the respondent No. 2 immediately.

5. In view of the aforesaid, the Original Application stands disposed of at the admission stage itself.


(Madan Mohan)
Judicial Member

“SA”


(M.P. Singh)
Vice Chairman