

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR,
JABALPUR

Original Application No. 180 of 2005

Jabalpur, this the 18th day of February, 2005

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

S.P.S. Tomar, son of late Shri Attar Singh
Aged about 59 years, Working as Dy. Asstt.
Director, Military Farm, Jabalpur (MP). Applicant

(By Advocate – Shri Gopi Chourasia)

V e r s u s

1. Union of India, through the Secretary,
Ministry of Defence,
New Delhi.
2. The Dy. Director General,
Military Farm, Army Headquarter,
QMG Branch, R.K. Puram, New Delhi. Respondents

(By Advocate – Shri S.A. Dharmadhikari)

O R D E R (Oral)

By M. P. Singh, Vice Chairman –

Heard the learned counsel for the applicant as well as the learned counsel for the respondents.

2. By filing this Original Application the applicant has claimed the following main reliefs :
“ii) set aside the impugned order dated 22.11.2004 (Annexure A-1).”
3. The brief facts of the case are that the applicant is working at Military Farm, Jabalpur and has been transferred to New Delhi vide order dated 22nd November, 2004. The learned counsel for the applicant stated



that he is going to retire shortly on superannuation and therefore as per the relevant rules he is required to be given the choicest posting before he attains the age of superannuation. He further stated that he has no objection if directions are given to the respondents to put forth his grievances before the Quarter Master General, Army Headquarters who shall consider and decide his representation.

5. On the other hand the learned counsel for the respondents stated that the applicant has been transferred to New Delhi and a person who has been posted at Military Farm, Missamari has already joined the post held by the applicant. While transferring the applicant vide order dated 22nd November, 2004 he has also been relieved on the same date. The learned counsel for the respondents further stated that they be directed to consider and decide the representation of the applicant.

4. In the facts and circumstances of the case, we are of the opinion that ends of justice would be met if we direct the Quarter Master General, to whom the representation dated 14.2.2005 (Annexure A-3) is addressed, to consider the said representation of the applicant and take a decision after affording the opportunity of personal hearing to the applicant, 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. 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