

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH,
JABALPUR

Original Application No. 661 of 2005

Jabalpur, this the 20th day of July, 2005

Hon'ble Shri Madan Mohan, Judicial Member

R.A. Biswas, S/o. Shri B. Mahesh, aged about
46 years, posted as Assistant Accounts Officer
In Controller of Finance & Accounts (Fys),
Vehicle Factory, Jabalpur, resident of 57/14,
Lekha Nagar, Ridge Road, Jabalpur (MP).

.... Applicant

(By Advocate – Shri G.P. Dubey)

V e r s u s

1. Government of India, Ministry of Defence,
Department of Defence Accounts, through
it's Secretary (Defence Finance), South Block,
New Delhi – 110011.

2. Controller General Defence Accounts,
West Block-V, R.K. Puram, New Delhi.

3. Principal Controller of Accounts (Fys.),
10-A, S.K. Bose Road, Kolkatta.

4. Controller of Finance & Accounts (Fys.),
Vehicle Factory, Jabalpur (MP).

5. Deputy Controller of Finance & Accounts
(Fys.), Accounts office, Vehicle Factory,
Jabalpur.

.... Respondents

O R D E R (Oral)

Heard the learned counsel for the applicant.

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

“ii) to quash the impugned order of transfer dated 18.7.2005
(Annexure A-1).”



3. The brief facts of the case are that the applicant was appointed on the post of Auditor on 30th August, 1983 and was promoted as Assistant Account Officer from 20th September, 1999 in the office of CFA (Fys.), Vehicle Factory, Jabalpur. Vide impugned order dated 18.7.2005 (Annexure A-1) the applicant is transferred from Jabalpur to Katni on malafide grounds. This impugned order is passed under the pressure of Staff Association leaders of All India Defence Accounts Employees' Association, Jabalpur. The learned counsel for the applicant argued that the applicant is not given due opportunity of hearing before passing of the said impugned order dated 18th July, 2001 (Annexure A-1). This order was served on him on 19.07.2005. He has also drawn my attention towards the resolutions dated 21.2.2005 (Annexure A-4), Annexure A-5, Annexure A-6 and Annexure A-7. He further argued that the applicant is only an Assistant Account Officer and as an administrative in-charge he has to receive such applications and mark to the concerned officer or staff for taking further necessary action on such applications. He is not the authority to sanction the medical advance. He is discharging the duties of clerical nature. The applicant is not responsible for the alleged incidence of sudden demise of late A.K. Minz. The applicant has sought his transfer to Nagpur. The learned counsel for the applicant submitted that he will feel satisfied if directions are issued to him to file a fresh detailed representation regarding his grievances with further direction to the respondents to consider and decide the same sympathetically and till the fresh representation of the applicant is decided, he be not disturbed from the present place of posting.

4. Accordingly, I feel that ends of justice would be met if I direct the applicant to file a fresh detailed representation within a week from the date of receipt of a copy of this order. I do so accordingly. If the applicant complies with this, the respondents are directed to consider and decide the said representation of the applicant within a period of one month from the date of receipt of the said fresh representation of the applicant, by passing



a speaking, detailed and reasoned order. Till the said representation of the applicant is decided by the respondents, he shall not be disturbed from the present place of posting. The applicant is also directed to send a copy of this order as well as the copy of the petition to the respondents immediately.

5. In view of the above, the Original Application is disposed of at the admission stage itself.



(Madan Mohan)
Judicial Member

“SA”

पृष्ठोक्त सं ओ/न्या.....जबलपुर, दि.....

प तिलिपि अचो डित:-

- (1) सचिव, उच्च न्यायालय नगर एसोसिएशन, जबलपुर
- ✓ (2) आवेदक श्री/श्रीमती/बु.....के काउंसल
- (3) प्रत्यक्षी श्री/श्रीमती/बु.....के काउंसल
- ✓ (4) न्यायपाल, कोएअ, जबलपुर न्यायाधीश
रूचना एवं आवश्यक कार्यवाही हेतु

E.P. Dubey
D.V.O.B.

उप रजिस्ट्रार

Issued
21.7.25