

**CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH,
JABALPUR**

Original Application No. 822 of 2005

Jabalpur, this the 6th day of September, 2005

Hon'ble Shri Madan Mohan, Judicial Member

Chandra Prakash Mishra, S/o. Shri Ram
Khelaman Mishra, Aged about 47 year, R/o.
MIG 1/23/364, Indira Nagar, Rewa,
District – Rewa (MP). Applicant

(By Advocate – Shri Brindavan Tiwari)

V e r s u s

1. Union of India, through Director General,
National Informatics Centre, H.Q. A-Block,
CGO Complex, Lodhi Road,
New Delhi (India).
2. Secretary, Ministry of Communication and
Information Technology, Govt. of India,
Electronics Niketan, CGO Complex,
Lodhi Road, New Delhi (India).
3. State Informatics Officer,
National Informatics Centre, M.P. State Centre
Vindhyanachal Bhawan, C-Wing Basement,
Bhopal (MP). 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 reliefs :

“8.1to quash impugned order dated 9.8.2005 (Annexure A-4) in its entirety,

8.2to direct respondents to transfer to applicant to Rewa as there is already post vacant in the interest of justice.”



3. The brief facts of the case are that the applicant joined in service in the year 1988 as a Scientific Officer/Engineer at Rewa. He was promoted on the post of Scientist Grade-B in the year 1992 and continued at Rewa. Again he was promoted as Scientist Grade-C in the year 1998 and was posted at Rewa. By order dated 12.3.2001 the applicant was transferred from Rewa to Satna. Serving on the same post the applicant was again promoted at Scientist Grade-D by order dated 23.6.2005. The home district of the applicant is at Rewa as his wife is holding the post of Supervisor in Women and Child Health Department at Rewa. The son of the applicant is studying and the mother of the applicant is affected with cardial/heart problem. She has faced two major attacks and therefore being serious position she needs care taker for which there is no alternative accept applicant. She is under treatment as is evident from Annexure A-3. The applicant has now been transferred from Satna to Dhindori by order dated 9.8.2005. This transfer order is wrong in both ways as per rules and also on the humanitarian ground. The applicant has submitted representation revealing his grievance to the Deputy Director General on 18th August, 2005 and the same is still pending with the respondents for consideration. The learned counsel for the applicant submitted that he will feel satisfied if the respondents are directed to consider and decide the said representation of the applicant and till the said representation of the applicant is decided by the respondents he be not disturbed from the present place of posting.

4. In view of the submissions made by the learned counsel for the applicant, I feel that ends of justice would be met if I direct the applicant to submit a fresh representation to the respondents 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 fresh representation alongwith the pending representation of the applicant dated 18.8.2005, by passing a speaking, detailed and reasoned order within a period of one month from the date of receipt of the fresh



representation of the applicant. Till the said representations of the applicant are decided by the respondents he will not be disturbed from the present place of posting. 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 respondents immediately.

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

(Madan Mohan)
Judicial Member

"SA"

प्रांकल सं ओ/न्या..... जबलपुर, दि.....
प्रतिलिपि दिनो २००८
(1) सचिव, उत्तर राज्य विधान सभा, जबलपुर
(2) आवेदक नाम/परिवार के कार्डराल
(3) प्रत्ययी श्री/ मिस/इ
(4) विधायक, सेक्टर, राजस्व व्यापारी देव
सूचना एवं आवश्यक कार्यालयी देव
उप दिग्दर्शन
D. M. Tiwari
DDW/DRB
6/9/05

✓
G. S. S.