

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH,  
JABALPUR

Original Application No 942 of 2005

Jabalpur, this the 3<sup>rd</sup> day of October, 2005.

Hon'ble Mr. Madan Mohan, Judicial Member

Rajan Kumar Age 45 yrs  
(9703983)

S/o Chhotelel

Occupation : Safaiwala  
M.B. Area Prov Unit, Jabalpur  
R/o M.G.H. Colony, Fish Market  
Bairagarh Bhopal

Applicant

(By Advocate – Shri N.S. Ruprah)

V E R S U S

1. Union of India,  
Through Defence Department  
Government of India,  
New Delhi.
2. Additional Director General of Manpower  
MP-4 (Civ) (b)  
Adjutant General's Branch  
Army Headquarters  
DHQ Po, New Delhi.
3. Deputy Director MP-4 (Civ) (b)  
MP-4 (Civ) (b)  
Adjutant General's Branch  
Army Headquarters  
DHQ Po, New Delhi.
4. Commanding Officer  
Headquarter MB Area Prov Unit Jabalpur.
5. Hukum Chand Dumar  
(SD 352563 C/S/W)  
Age 38 yrs.  
S/o Sukhlal Dumar  
Occupation : Conservancy Safaiwala  
M.B. Area Prov Unit, Jabalpur  
R/o H.No.706, Belbagh, Chhoti Omti,  
Jabalpur

Respondents

O R D E R (Oral)

By filing this Original Application, the applicant has sought the following main relief :-

“(i) ...to quash Annexure-A-1 and to permit the applicant to continue to comply the order dated 18.2.05, Annexure-A-2.”

2. The brief facts of the case as stated by the applicant are that the applicant was appointed as Safaiwala under the respondents. He has a permanent resident at Bhopal, therefore he is interested to serve at Bhopal. He was transferred from Jabalpur to Bhopal vide order dated 18.2.2005 (Annexure-A-2). However, the aforesaid transfer order has been cancelled vide order dated 19.9.2005 (Annexure-A-1). Hence, this OA.

3. Heard the learned counsel for the applicant, who argued that the applicant is a class 4<sup>th</sup> and is a very low paid employee and also he has permanent resident at Bhopal. The children of the applicant are studying at Bhopal, therefore he is facing difficulty to serve at Jabalpur. The learned counsel for the applicant further argued that the applicant has not yet been relieved from Bhopal. The learned counsel for the applicant also argued that he will be satisfied if the applicant is permitted to file a fresh representation before the respondents and the said representation be considered and decided by the respondents.

4. In view of the submissions made by the learned counsel for the applicant and considering all the facts and circumstances of the case, I direct the applicant to file a fresh representation before the respondents within a week from today. If he complies with this, the respondents are directed to consider the aforesaid representation of the applicant and take a decision on it within a period of one month from the date of receipt of a copy of such representation by passing a detailed, reasoned and speaking order. The learned counsel for the



applicant is directed to supply a copy of this order along with this petition to the respondents immediately.

5. With the above directions the OA stands disposed <sup>of</sup> at the admissions stage itself.

(Madan Mohan)  
Judicial Member

पृष्ठांकन से लो/न्या..... जल्लमुर, दि.....  
यह दिनिकी वाली विवर:—  
(1) साधित वाला (2) वाला विवर: जल्लमुर  
(2) आदेश वाला विवर: को जल्लमुर  
(3) फसल वाला विवर: दृष्ट काउन्सल  
(4) वाला विवर: विवर: विवर:  
सूचना देव उपर्युक्त विवर: विवर:  
इस दिनिकी वाली विवर:—  
इस दिनिकी वाली विवर:—

M.J. Rayah DR. M.R.

Fee  
3  
4.10.05