

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH

CIRCUIT COURT SITTINGS : GWALIOR

Original Application No.1020 of 2005

Gwalior, this the 27th day of October, 2005

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

Raj Kumar Sengar S/o Shri Baijnath Singh Sengar,  
Aged 37 years, Occupation-Service MES, R/o A-35,  
Basant Vihar, Gwalior

- APPLICANT

(By Advocate - Shri Akshay Jain)

Versus

1. Union of India, through Secretary, Ministry of Defence, New Delhi.
2. Engineer-in-Chief, O/o Army Head Quarter, E-in-C's Branch, Kashmir House, New Delhi-11.
3. Chief Engineer, Head Quarter, Central Command, Lucknow.
4. Chief Engineer (Air Force), Allahabad (U.P.).
5. Commander Works Engineer (Air Force), Maharajpura, Gwalior.
6. Garrison Engineer (Air Force) Maharajpura, Gwalior.

- RESPONDENTS

O R D E R (Oral)

By M.P.Singh, Vice Chairman.-

By filing this Original Application, the applicant has claimed the following main reliefs:-

"10.1 The impugned order of transfer dated 13.4.05 be quashed.

10.2 The respondents be directed to allow the applicant to complete his tenure period of two years w.e.f. 1.4.04 to 31.03.2006, in compliance of the guidelines.

10.3 The respondents be further directed to divert the applicant any of his choice stations as per rules after the said tenure period".

2. The brief facts of the case are that the applicant is working as Junior Engineer at Maharajpura. He has been transferred from Maharajpura to Lucknow Zone vide order dated 13.4.2005 (Annexure-A-1). He has submitted that in view of his family circumstances and certain other difficulties, it is not possible for him to move from Maharajpura to Lucknow. In this connection he has submitted a representation dated

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10.8.2005 (Annexure-A-10), which is still pending with the respondents. Hence this Original Application.

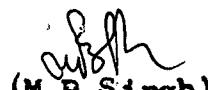
3. The learned counsel for the applicant has submitted that this Original Application can be disposed of at the admission stage by directing the respondents to consider and dispose of the pending representation of the applicant dated 10.8.2005 and till then the order of transfer be stayed.

4. In view of the facts and circumstances of the case we deem it appropriate to direct the respondents to consider and decide the representation of the applicant dated 10.8.2005 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. We do so accordingly. The respondents are further directed that in the meantime the applicant will not be relieved. The applicant is also directed to send a copy of this order as well as a copy of the OA to the respondents immediately.

5. In the result, the OA is disposed of with the directions as contained in para 4 above, at the admission stage itself.



(Madan Mohan)  
Judicial Member



(M.P.Singh)  
Vice Chairman

rkv.

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28.10.05

(Akshay Jain)  
Adv