

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 599 of 2004

Jabalpur, this the 3rd day of August, 2004

Hon'ble Mr. Sarveshwar Jha, Administrative Member  
Hon'ble Mr. Madan Mohan, Judicial Member

Umashankar Shukla  
aged 46 years  
son of Tejaram Shukla  
resident of village Jhagaraha,  
Post Office Semariya  
District Sidhi(M.P.)  
presently posted as Khalasi, Gauges  
Evac Nissaran Sthal Doodhi, Varanasi  
Pin : 221002

APPLICANT

(By Advocate - Shri Pramod Kumar Pandey)

VERSUS

1. Union of India,  
Through Secretary,  
Ministry of Water Resources,  
New Delhi.
2. Adhikshan Abhiyanta,  
Central Water Commission,  
Jal Vigyanika Prakashan Parimandal,  
Akashdip(First Floor),  
Pannalal Park Varanasi- 221002
3. Sahayak Adhishasi Abhiyanta,  
Upari Sona Rihand UpMandal,  
Central Water Commission, Rewa  
8/265, Behind Badi Dargah, Amahiya,  
District Rewa(M.P.)

RESPONDENTS

ORDER (ORAL)

By Sarveshwar Jha, Administrative Member -

Heard the learned counsel for the applicant.

2. He has submitted that while the applicant was initially appointed as Khalasi on temporary basis with effect 16.5.2001 and posted at Kota and his services were regularised only on 16.4.2004, he was transferred from Kota to Doodhi under Madhya Ganga Mandala-3, Varanasi which is 53 Km from Kota. He has been transferred again in the same month, i.e., in the month of June vide the orders of the respondents dated the 14th June, 2004 (Annexure A-2) to a place called Tawaghat, under Madhya Ganga Mandala-I, Lucknow. The respondents have not assigned any rea-

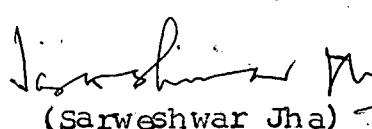
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sons for the said transfer except saying that it has been done in public interest. The applicant has submitted a representation to the respondents vide his letter dated 28th June, 2004 (Annexure A-6) and is still awaiting the reply from them. He has prayed in the said representation that for the reasons given in the said representation his transfer to Tawaghat may be reconsidered and he may be allowed to continue at the present place of his posting. This will help him ~~to~~ take care of his family. He has also submitted that his wife remains generally indisposed and his daughters are studing at the present place of posting, and these will get adversely affected in the event of his transfer to the new place.

3. Having regard to the fact that the representation of the applicant is pending with the respondents for consideration and also that the respondents have not given any specific reason why they have transferred the applicant twice in a month, <sup>and</sup> ~~that~~ <sup>to</sup> ~~a~~ station at 1,000 Kms, and having regard to the fact that he is a Group-D employee, we are of the considered view that <sup>the</sup> ends of justice shall be met if the OA is disposed of at the admission stage itself with a direction to the respondents to consider the representation of the applicant together with this OA, treating the same as a supplementary representation of the applicant, with sympathy and compassion and to dispose them of within a period of one month from the date of receipt of a copy of this order. They are also directed to ensure that the applicant is not disturbed from the present place of posting till they <sup>have</sup> ~~considered~~ the representation and this OA, as directed above, and disposed them of.

(Madan Mohan)  
Judicial Member

"SA"

  
(Sarweshwar Jha)  
Administrative Member