

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 620 of 2004

Jabalpur, this the 2nd day of August, 2004

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

Smt. Girija Gontia,
W/o Shri B.L. Gontia,
Aged about 55 years,
R/o Bilkura Colony,
Madhai, Post Richai,
Jabalpur.

APPLICANT

(By Advocate - Shri V. Tripathi)

VERSUS

1. Union of India,
Through its Secretary,
Ministry of Defence,
New Delhi.
2. The Chairman/Director General,
Ordnance Factories Board,
10-A S.K. Bose Marg,
Kolkata.
3. The Sr. General Manager,
Vehicle Factory,
Jabalpur

RESPONDENTS

ORDER(ORAL)

By Sarveshwar Jha, Administrative Member -

Heard the learned counsel for the applicant.

2. It is observed that the applicant has been transferred together with others vide orders of the respondents dated 2.6.2004 to Small Arms Factory, Kanpur. Being a lady employee and also her husband being posted at Jabalpur and further that her children are studying at Jabalpur, she made a representation to the respondents seeking her posting at Ordnance Factory, Khamaria, Jabalpur to which some other persons have been posted/transferred. Her representation, however, having been given due consideration, has not been accepted by the respondents. She has been directed to be released immediately for further action. She has submitted another representation after the respondent's reply to her earlier representation



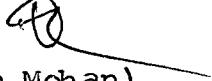
vide her letter placed at Annexure A-6. This representation has been submitted only last month. Thus, sufficient time has not been allowed to the respondents to apply their mind to this representation. It thus appears that the applicant has approached this Tribunal little pre-maturely.

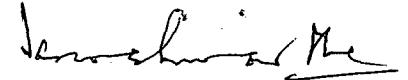
3. In support of her request, the applicant has drawn our attention to the orders/instructions of the Government, ~~a~~ ^a copy of which is placed at Annexure A-3, whereby it ~~has~~ been emphasised that all the cases involving request of posting of the spouses at the same station should be considered ^{with} utmost sympathy and, ~~has~~ also said in the said policy, "that as far as possible and within the constraints of administrative feasibility, the husband and wife should be posted at the same station to enable them to lead a normal family life to ensure the education and welfare of their children." The applicant has also invited attention to the instructions of the Government as issued on 7th April, 2000, whereby it ~~has~~ been said that "as far as possible women employees should not be posted out of the station. If at all required, they should be posted to the nearest possible station." The applicant has submitted that her case may be given sympathetic consideration keeping in view all the instructions of the Government as given in the said references.

4. Having regard to the fact that the applicant has already submitted another representation to the respondents, a copy of which is placed at Annexure A-6, and also that there are certain policies and instructions of the Government on the subject, it would be appropriate that this OA is disposed of at the admission stage itself even without waiting for the reply from the respondents, with directions

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to them to give fresh consideration to the case of the applicant as pending with them vide her representation and also as raised in this OA treating the same as supplementary representation of the applicant and dispose of them of at the earliest within a period of one month from the date of receipt of a copy of this order. Ordered accordingly. However, as the applicant has not been relieved till date, the respondents shall ensure that the status of the applicant is not disturbed till they ^{have} ~~reconsider~~ the matter, as directed above, and disposed of.


(Madan Mohan)
Judicial Member


(Sarweshwar Jha)
Administrative Member

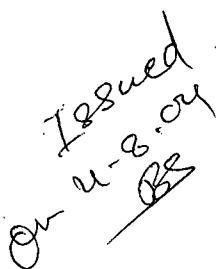
'SA'

पूर्णकाल सं. ओ/न्या....., जललपुर, दि.....
प्रतिलिपि आवश्यकता:—

- (1) लक्ष्मी, उच्च न्यायालय बाह्य प्रतिलिपुराज, जललपुर
- (2) आपेक्षक श्री/श्रीमती/कु. के काउंसल
- (3) प्रत्यर्थी श्री/श्रीमती/कु. के काउंसल
- (4) कंगलाल, क्लॉप.अ., जललपुर ज्ञानदीड
सूरजना एवं आवश्यक कार्यकारी हेतु


S. Paul


D. S. Paul
काउंसल 4-8-07


Issued
On 4-8-07
By