

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 838 of 2004

Jabalpur, this the 1 day of October, 2004

Hon'ble Mr. Madan Mohan, Judicial Member

Ajit Singh Yadav,
Son of Late C.L.Choudhary, aged
about 54 years, Sr.Auditor Office
of Joint Controller, Finance &
Accouts, Gun Carriage Factory,
Jabalpur(M.P.) R/o B-5, Kendriya
Vidhayalaya, 1 STC, Teachers
Colony, Jabalpur

APPLICANT

(By Advocate - Shri Vipin Yadav)

VERSUS

1. Union of India
through Secretary Ministry of
Defence New Delhi.
2. Controller General of Defence
Accounts, 5 West Block
R.K. Puram New Delhi.
3. Asst. Controller of Finance &
Accounts, G.C. Factory, Jabalpur
(M.P.)
4. Principal Controller of
Accounts,(FIS), 10-A S.K. Bose
Road, Kolkata
5. Asstt. Account Officer, Vehicle
Factory, Jabalpur(M.P.)

RESPONDENTS

O R D E R (ORAL)

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

"i) To issue a writ in the nature of certiorari
order dt. 2.6.2004 and 27.9.2004 may kindly be
quashed.

ii). To issue a writ in the nature of mandamus
respondents may kindly be restrained to relieve the
petitioner from present place of posting.

iii) To issue a writ in the nature of mandamus
respondents may kindly be directed to consider the
request of the petitioner for his posting at
Gwalior."

2. The brief facts of the case are that the applicant
is presently working in Jabalpur. The applicant has applied
for his transfer to Gwalior as his son is studying there.




However, the respondents have passed ~~ampugned~~ order dated 2.6.2004 whereby the applicant transferred from Jabalpur to Shahjahanpur without due application of mind. Aggrieved by this order the applicant has preferred a representation against his transfer order and the same was rejected without assigning any reason by the respondents. Hence this OA.

3. Heard the learned counsel for the applicant.

4. The learned counsel for the applicant stated that the applicant has applied for his transfer to Gwalior on the ground a problem of mental depression of his son as ^{by} the ~~advised~~ of the Doctor that the applicant's son ^{showed} ~~did~~ not be left alone. He further drawn our attention towards order dated 2.6.04(Annexure-A-3) in which the request of the applicant was acceded for transfer his choice station whereas the applicant has requested for his transfer only ^{for} Gwalior on the aforesaid ground of his son . He has also stated that the applicant's wife is presently posted in Jabalpur.

5. In the facts and circumstances of the case ^{detailed} I direct the applicant to file a fresh/representation before the respondents within a period of a week from the date of receipt of copy of this order. If the applicant complies with this, the respondents are directed to consider and decide the such representation of the applicant on sympathetically within a period of 2 months ^{by} passing a detailed and reasoned ~~order~~ ^{order}. Till then ~~the~~ applicant should not be distrubed from the present place of posting.

6. The OA stands disposed of at the admission stage itself without issuing the notice.


(Madan Mohan)
Judicial Member