

(2)

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

O.A. NO. 11/2003

Jagdeo Yadav, S/o. Shri
Panna lal Yadav, Aged about
45 years, R/o. Quarter No. 40/5,
Military Farm, Mandla Road,
Jabalpur.

... Applicant

V e r s u s

1. Union of India,
through its Secretary,
Ministry of Defence,
New Delhi.
2. The Quarter Master General,
QMGs Branch, Army Head Quarters,
West Block III, RK Puram,
New Delhi.
3. The Dy. Director General,
Military Farm, QMG Branch,
Army Head quarter, West Block III,
RK Puram, New Delhi.
4. The Deputy Assistant Director,
Military Farm, Mandla Road,
Jabalpur.

... Respondents

Counsel :

Shri S. Paul for the applicant.

Coram :

Hon'ble Shri Justice N.N. Singh - Vice Chairman.
Hon'ble Shri Sarvashwar Jha - Member (Admnv.).

O R D E R (Oral)
(Passed on this the 13th day of January 2003)

Heard. The applicant has approached this
Tribunal against the orders of the respondents dated 20th
December, 2002, a copy of which is placed at Annexure A-1,
by which he has been transferred from the Military Farm,
Mandla Road, Jabalpur to Frieswal Project, Meerut (UP). It
transpires that the applicant has also approached this
Tribunal against the respondents (respondent No. 3) for
having not decided his appeal in the matter.

2. The facts of the case briefly are that the applicant, who is working in the post of Farm Hand at the above mentioned place, had been transferred to Frieswal Project, Meerut through an internal posting/transfer order issued by the DADMF, Officer Incharge, MF Jabalpur, dated 20/12/2002, a copy of which is placed at Annexure A-1. The contention of the applicant is that the orders of the respondents referred/in their order at Annexure A-1 dated 18th December, 2002 have not been received by him and, therefore, in his opinion transfer order is not proper. He has also submitted detailed representations seeking cancellation copies of his transfer, and/ of the same are placed at Annexure A/2 and Annexure A/3. The reasons advanced by the applicant praying for his being allowed/at the present station include the sickness of his wife and also the education of his children.

3. Keeping in view the submissions of the applicant as explained in the Original Application and also in/oral submission made by the learned counsel for the applicant, we are of the opinion that the right course would be to direct the respondents not to press for the joining of the applicant at the new place of posting till such time his representations as annexed at Annexure A-2 and Annexure A-3 are disposed of by them by issuing a reasoned and speaking order. The respondents are further directed that they should dispose of the representations of the applicant within a period of 4 weeks from the date of receipt of a copy of this order by issuing a reasoned and speaking order/ with this, this OA stands disposed of as per above directions.

Sarveshwar Jha
(SARVESHWAR JHA)
MEMBER (A)

N.N. Singh
(N.N. SINGH)
VICE CHAIRMAN

