

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 861 of 2002

Jabalpur, this the 16 day of January, 2003.

Hon'ble Mr. Justice N.N. Singh- Vice Chairman
Hon'ble Mr. Sarveshwar Jha- Member (Adminv.)

Smt. Pushpa Anil W/o Shri T.G.
Anil Kumar, aged 38 years, R/o 78,
Vrindavan Nagar, Bye-pass Road,
P.O. Piplani, Bhopal-462 021 (MP)

-APPLICANT

(By Advocate- Mrs. S. Menon)

Versus

1. Union of India through
Secretary, Ministry of Finance,
Department of Revenue, New Delhi.
2. Comptroller & Auditor General of India,
10, Bahadur Shah Zafar Marg, Indraprastha,
New Delhi-110 002.
3. Principal Accountant General
(A&E), Lekha Bhawan, Gwalior (MP)
4. Shri Sanjay Paranjpe,
Sr. Accountant, Office of Accountant
General (MP) A&E-I, Bhopal.

-RESPONDENTS

(By Advocate- Mr. S.C. Sharma for
official respondents)

ORDER (ORAL)

Heard. The applicant has approached this Tribunal through this O.A. seeking quashing of the order of the respondents dated 4.6.2002, a copy of which is placed at Annexure A/4, and also attendant reliefs.

2. On perusal of the application, it is observed that the applicant, who joined the respondents on 1.7.88 as an Accountants Clerk and has been serving in the organisation of the respondent No.4 and posted at Bhopal, has been transferred to Raipur on the creation of the new State of Chhattisgarh. She has referred to the case of one Shri Paranjpe, who is junior to the applicant,

[Handwritten signature]

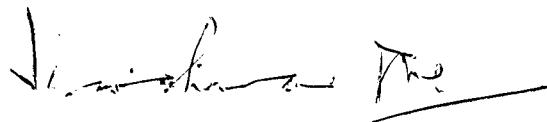
and who has been posted at Bhopal. She has also submitted a representation to the respondents vide Annexure A/5, which has since been replied to vide a notice dated 9.7.2002. The respondents, after considering her representation, have given her temporary relief by postponing her transfer for six months. However, she has submitted an appeal to the Comptroller & Auditor General of India (Respondent No.2) vide Annexure A/8. It is submitted by the learned counsel of the applicant that this appeal is yet to be disposed of by the Appellate Authority and she is awaiting a reply.

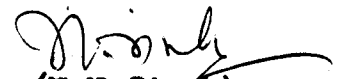
3. On perusal of the interim reply submitted by the respondents, it is observed that they have submitted the fact of the creation of the State of Chhattisgarh and the resultant need to post some staff to Raipur. They have also referred to the fact that the representation of the applicant was duly considered by the respondent No.3 and it was after due consideration of the said representation that her transfer to Raipur was postponed for a period of six months vide their orders placed at Annexure A/6. The other details submitted in their reply are matters of fact and procedure followed by the respondents.

4. The learned counsel of the applicant has made a submission that respondent No.2 should be directed to consider her appeal and dispose it of by issuing a reasoned and speaking order within a short period. She has also submitted that she may also be given liberty to file a fresh representation to the Appellate Authority for submitting additional information. She has further submitted that the applicant should be given

liberty to approach this Tribunal in the event of her not being satisfied with the decisions of the Appellate Authority.

5. After considering the submissions of both the sides, we are of the view that this O.A. can be disposed of with directions to the respondents that the appeal submitted by the applicant, a copy of which is placed at Annexure A/8, be considered and disposed of by the Appellate Authority within a period of one month from the date of receipt of this order by issuing a reasoned and speaking order as per law and as per instructions on the subject. As prayed for by the learned counsel of the applicant, she is also given liberty to submit a fresh representation, if necessary, to the respondent No.2. The applicant is, however, directed that a fresh representation, if any, by her shall be submitted to the respondents within a period of 15 days only from the date of receipt of this order. The interim relief already granted to the applicant shall remain operative till the final disposal of the appeal. With this, this O.A. stands disposed of in terms of the above directions with no order as to costs.


(Sarveshwar Jha)
Member (Adminv.)


(N.N. Singh)
Vice Chairman

...

पृष्ठकन सं ओ/न्या.....जयलपुर, दि.....
प्रतिलिपि जारी किया—
(1) सचिव, जयलपुर न्यायालय, जयलपुर
(2) जयलपुर न्यायालय, जयलपुर
(3) जयलपुर न्यायालय, जयलपुर
(4) जयलपुर न्यायालय, जयलपुर
सूचना एवं प्रचार विभाग, जयलपुर

Smt. S. Suman, p. 4
SC Sharma, p. 6 &


जयलपुर न्यायालय
20/1/03

Issued
on 20.1.03
BZ