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CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

O.A. NO. 915/2002

Mukesh Chaturvedi, Son of
Shri R.K. Chaturvedi, by
occupation LDC, SRO, Jabalpur,
Resident of Type-II, A/8, Vijay
Nagar, Jabalpur.

... Applicant

V e r s u s

1. Union of India, through
the Secretary, Department/
Ministry of Labour, New Delhi.
2. The Central Provident Fund
Commissioner, P.F. Office, 14,
Bhikaji Kama Place, New Delhi-
110 066.
3. The Regional Provident Fund
Commissioner, Fr.I, 7, Race
Course, Pradhikaran Bhawan,
Indore.
4. Regional Provident Fund Commiss-
ioner, Grade II, Behind Krish-
Upaj Mandi, Jabalpur.

... Respondents

Counsel :

Shri A.K. Choubey for the applicant.

Coram :

Hon'ble Shri Justice N.N. Singh - Vice Chairman.
Hon'ble Shri R.K. Upadhyaya - Member (Admnv.).

O R D E R (Oral)
(Passed on this the 7th day of January 2003)

By this application, the applicant has assailed
the order of transfer dated 28/02/2002 (Annexure A-7).
Persuant to this order of transfer, the applicant has also
been directed to ^{be a} relieved with effect from 13/12/2002 as per
order dated 11/12/2002 (Annexure A-12).

2. It is stated by the learned counsel for the
applicant that the applicant is a LDC, SRO, in the office of
RPFC, Jabalpur. He joined the service on 04/04/1998 and his

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name finds place at serial No. 508 of gradation list circulated vide memo dated 18/05/1999. The learned counsel invited attention to Transfer Guidelines dated 19/11/2001 issued by the Central Office and circulated by the Regional Office, Indore as per letter dated 19/11/2001 (Annexure A-5). The learned counsel states that the transfer of the applicant is in violation of the guidelines and, therefore, the impugned order of transfer dated 28/02/2002 (Annexure A-7) and consequent relieving order dated 11/12/2002 (Annexure A-12) be quashed. It is also informed by the learned counsel that the applicant has made a representation against the transfer order on 23/12/2002 addressed to the Regional Provident Fund Commissioner, Indore, but the same has not yet been decided.

3. After hearing the learned counsel for the applicant and after perusal of the material made available at the time of admission of this application and without expressing any opinion on the merits of the claim of the applicant, it is desireable that the pending representation of the applicant is disposed of before the applicant is directed to join his new place of posting. Therefore, we direct the applicant to send a fresh representation alongwith a copy of the order of this Tribunal within a week to respondent No. 2 with a copy to respondent No. 3 and respondent No. 4. If such a representation is made by the applicant, the respondent No. 2 is directed to dispose of the same by a speaking order within a month from the date of receipt of such a representation. The decision of the respondent No. 2 may be promptly communicated to the applicant. Pending communication of decision of respondent No. 2, the applicant shall not be forced to join the place to which he has been transferred.

C. S. Nayak

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4. Subject to the directions as in the preceding paragraph, this Original Application is disposed of at the admission stage itself.

(R.K. Upadhyaya)

(R.K. UPADHYAYA)
MEMBER (A)

(N.N. Singh)

(N.N. SINGH)
VICE CHAIRMAN

पृष्ठांकन सं. ओ/न्या.....जबलपुर, दि.....
प्रतिलिपि अच्छे हित:-

- (1) संक्षिप्त, उच्च व्यापालय द्वारा एसोलिएशन, जबलपुर
- (2) अधिकारी श्री/श्रीमती/कुमा.....ने काउंसल
- (3) लग्दार्थी श्री/श्रीमती/कुमा.....ने काउंसल
- (4) योग्यता, क्षेत्रा, जबलपुर न्यायालयीय
सूचना एवं आवश्यक कार्यवाही हेतु

*A. K. Choubey - 5/1/03
R.P.X.O. 2/2003/10/10
T. Mehta
9.1.03*

*Issued
9.1.03
On
9.1.03*