

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

JAIPUR BENCH, JAIPUR

Jaipur, 21st November, 2005

ORIGINAL APPLICATION NO. 290/2005

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HON'BLE MR. M.L. CHAUHAN, MEMBER (JUDICIAL)

S.K. Mathur son of Shri R.S. Mathur aged about 41 years resident of 130 Civil Lines, Station Road, Kota (Rajasthan). Presently working as Assistant Engineer (Civil), Deoli, CPWD, Central Sub Division-II, District Tonk.

.....Applicant

By Advocate : Mr. P.F. Mathur

Versus

1 Union of India through the Secretary to the Government of India, Ministry of Urban development, Nirman Bhawan, New Delhi.

2 The Directorate General Central Public Works Department, Nirman Bhawan, New Delhi.

....Respondents

By Advocate : Mr. Kunal Rawat

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ORDER (ORAL)

The applicant has filed this OA thereby praying for the following reliefs:-

- (a) quash and set aside the transfer order dated 4.4.2005 qua the applicant (Annexure A/1)
- (b) Direct the respondents to retain the applicant at his present place of posting i.e. at Deoli, District Tonk.
- (c) Any other order or direction, which this Hon'ble Tribunal deem fit in the facts and circumstances of the case may also be allowed in favour of the applicant.

2. The facts of the case are that the applicant alongwith 25 persons were transferred vide office order No. 54/2005 dated 1/4 April, 2005. Against this order, some of the persons named therein filed OAs before the Principal Bench and the Principal Bench stayed the operation of the impugned order dated 01/4 April, 2005. However, subsequently the said order was modified and confined to the applicant before the Principal Bench in OA No. 790/2005 and other OAs. Pursuant to modification of stay order by Principal Bench, since the applicant was not party in any one of the OAs, the applicant filed this OA and this Tribunal vide order dated 27.06.2005 stayed the operation of the impugned order so far as it pertains to the applicant. However, subsequently, the said stay order was not extended vide order dated 04.10.2005 when it was brought to the notice of this Tribunal that the Principal Bench had dismissed the OA No. 790/2005 and other five matters.

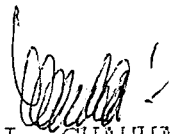
3 Learned counsel for the applicant submits that he is not pressing this OA on merits now and he will be satisfied if the directions is given to the appropriate authority to

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entertain his representation dated 13.04.2005 (Annexure A/15) and pass appropriate order regarding the personal difficulties which the applicant will be facing on account of his transfer vide impugned order.

4 In view of what has been stated above, I am of the view that ends of justice will be met if the direction is given to the respondents to decide the representation dated 13.04.2005 (Annexure A/15). Accordingly, the respondent No. 2 is directed to consider the representation of the applicant dated 13.04.2005 (Annexure A/15) and pass appropriate order within a period of one month from the date of receipt of a copy of this order.

5 With these observations, the OA is disposed of with no order as to costs.


(M.L. CHAUHAN)
MEMBER (J)

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