

CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH

OA No. 328/2005.

Jaipur, this the 2nd day of August, 2005.

CORAM : Hon'ble Mr. Kuldip Singh, Vice Chairman.

Dr. B. Jena
S/o Shri D. C. Jena,
Aged about 59 years,
R/o 10, Vinayak Complex, Nasiya Ji Jain Mandir Road,
Dadabari Extension, Kota.

... Applicant.

By Advocate : Shri C. B. Sharma.

Vs.

1. Union of India
Secretary to the Government of India,
Department of Posts, Ministry of Communication and
Information Technology, Dak Bhawan,
Sansad Marg, New Delhi 110 001.
2. Principal Chief Post Master General,
Rajasthan Circle,
Jaipur 302 007.
3. Post Master General Rajasthan,
Southern Region,
Ajmer.

... Respondents.

By Advocate : Shri V. S. Gurjar.

: O R D E R (ORAL) :

The applicant Dr. B. Jena has filed this OA impugning Annexure A/1 dated 11.7.2005 vide which applicant along with certain other persons had been transferred from Kota to Ajmer. One of the ground for challenging the impugned order is that as per transfer policy guidelines, the staff who have just one year or

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slightly more to go on 31st March of the next year before superannuation are exempted from rotational transfer. So keeping in view the same, this Tribunal vide interim order dated 19.7.2005 directed that the operation of the impugned order be stayed till next date.

2. Respondents have submitted that the reply will be filed today. However, the case has been taken up for hearing on the request of Learned Counsel for the respondents because the applicant had not made representation against the impugned order. Respondents are willing to consider applicant's representation as per transfer policy itself. Having regard to the same, I find that this OA can be disposed of at this stage with a direction to the Respondents to dispose of the representation of the applicant by passing a reasoned and speaking order thereon as per guidelines of the transfer policy.


3. Hence, I direct the applicant to make a comprehensive representation to Respondent No.1 within a fortnight from today and Respondent No.1 shall consider the same as per the transfer policy and guidelines thereon and shall pass a reasoned and speaking order upon the representation of the applicant and shall communicate the same to the applicant. If any adverse order is passed against the applicant, then the applicant will be at liberty to file fresh OA challenging the said order.

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From the date of communication of order to the applicant any such order which is against the interest of the applicant shall not be impleaded for the period of fortnight. In the meanwhile, the interim order in respect of the applicant shall ~~remain stayed~~ ^{continue operation of impug.}

order against the applicant shall remain in abeyance

4. The OA stands disposed of accordingly.


(KULDIP SINGH)
VICE CHAIRMAN

P.C./