

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
JAIPUR BENCH, JAIPUR.

Jaipur, the 14th day of August, 2008

ORIGINAL APPLICATION NO.310/2008

CORAM :

HON'BLE MR.B.L.KHATRI, ADMINISTRATIVE MEMBER

Charan Das Arora,
Junior Engineer (QS&C),
At Garrison Engineer,
Kota.

... Applicant

(By Advocate : Shri Sumit Khandelwal, proxy counsel
For Shri Rameshwar Sharma)

Versus

1. Union of India through
Secretary to the Govt.,
Ministry of Defence,
New Delhi.
2. Engineer in Chief,
Integrated HQ of Ministry of Defence,
Kashmir House,
New Delhi.
3. Headquarters,
Chief Engineer,
South West Command,
Jaipur.
4. Headquarters,
Chief Engineer,
Military Engineer Services,
Bani Park,
Jaipur.
5. Garrison Engineer,
Military Engineer Services,
Opposite Circuit House,
Kota.

... Respondents

(By Advocate : - - -)

ORDER (ORAL)

PER HON'BLE MR.B.L.KHATRI

The applicant has filed this OA thereby challenging the order dated 6.8.2008 (Ann.A/1), by which, while working as Junior Engineer, he has been transferred from the office of Garrison Engineer, Kota, to the office of Chief Engineer, Jaipur.

2. During arguments, learned counsel for the applicant drawn attention of the bench to the guidelines of transfer issued by the Director General (Pers), MES, New Delhi, and referred to para-36(b), which reads as under :

"CML posting will be normally from executive to executive except to the home station of the individual concerned provided employee's executive tenure is not exceeded beyond six years continuously. All postings under CML shall be issued by end of March every year keeping in view the academic session of children and will be implemented latest by 15 May each year."

3. Learned counsel for the applicant also submitted that the applicant has also made a representation dated 12.8.2008 (Ann.A/4), to respondent No.3, referring to the guidelines, as mentioned above, and stating therein that his sons are prosecuting study at Kota, and requesting for cancellation of the aforesaid transfer orders. The said representation has not yet been decided by the respondents.

4. After taking into consideration the submissions made by learned counsel for the applicant, it is observed that this application can be disposed of at

admission stage itself if a direction is given to the respondents to decide the representation of the applicant within a specified period.

5. Accordingly, respondent No.3 are directed to decide the representation of the applicant dated 12.8.2008 (Ann.A/4) taking into consideration the transfer guidelines, referred to above, by a reasoned and speaking order within a period of one month from the date of receipt of a copy of this order. Till a decision is taken on applicant's representation, the respondents are directed not to relieve him from his present place of posting.

6. With these observations, the OA stands disposed of at admission stage itself. No order as to costs.


(B.L.KHATRI)
MEMBER (A)

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