

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
JAIPUR BENCH

Jaipur, this the 28th day of August, 2008

ORIGINAL APPLICATION No. 341/2008

CORAM:

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

Tapan Yadav
s/o Shri Dhoom Singh,
r/o P-III/3, Rashtriya Military School,
Dholpur, presently working as
Master Gazetted (Political Science),
Rashtriya Military School,
Dholpur.

.. Applicant

(By Advocate: Shri C.B.Sharma)

Versus

1. Union of India
through its Secretary to the Govt. of India,
Department of Defence,
Ministry of Defence,
New Delhi.
2. Director General of Military Training (M.T.-15)
General Staff Branch,
Integrated Head Quarter of Ministry of Defence
(Army),
New Delhi.
3. Principal, Rashtriya Military School,
Dholpur (Rajasthan)

.. Respondents

O R D E R (ORAL)

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

- (i) That respondents may be directed to allow the applicant to work at Dholpur by quashing order dated 1/8/2008 (Annexure - A/1) with all consequential benefits.
- (ii) That the respondents be further directed not to give effect transfer order till the completion of academic session 2008-2009 by kept in abeyance the order dated 1/8/2008 (Annexuree-A/1) in respect of applicant.
- (iii) Any other order, direction or relief may be passed in favour of the applicant which may be deemed fit, just and proper under the facts and circumstances of the case.
- (iv) That the costs of this application may be awarded."

2. The grievance of the applicant is that he being a Master Gazetted (Political Science), Rastriya Military School, Dholpur has been transferred to Rastriya Military School, Chail, which is a far off place vide impugned order dated 1.8.2008 (Ann.A1). According to the applicant, this order has been served upon him on 6.8.2008 and immediately thereafter he made representation dated 14.8.2008 and 20.8.2008 (Ann.A5 and A6) to respondent No.2 ventilating his grievance and hardships, which he will have to face on account of his transfer to Chail. According to the learned counsel for the applicant, no decision has been taken by the respondents so far on the representations of the applicant.

3. I have heard the learned counsel for the applicant and have given due consideration to the submissions made him.

4. Since representations of the applicant dated 14.8.2008 and 20.8.2008 are pending before respondent No.2 and respondent No.2 has not disposed of the same, I am of the view that it is a matter which requires consideration at the level of respondent No.2 keeping in view of the hardships stated by the applicant in his representations and pass reasoned and speaking order. Till such order is not passed by respondent No.2, the impugned order dated 1.8.2008 so far it relates to the applicant shall not be given effect to. Ordered accordingly. Let the Registry send copy of this OA as well as copy of this order to respondent No.2.

5. With these observations, the OA stands disposed of at admission stage.

(M.L.CHAUHAN)
Judl.Member

R/